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தமிழ்நாடு ஆவணக்காப்பகம்
பாதுகாப்பு (Pr1) பிரிவு

பணி எண் :- 203/R1

செப்பனிட்டவரின் பெயர்	:	ச. தனபால்
ஆவணத்திலுள்ள மொத்த தாட்கள்	:	185
செப்பனிட்டு முடித்த நாள்	:	11-12-2019
செப்பனிட்டவரின் கையொப்பம்	:	ச. தனபால்

-- சரிபார்க்கப்பட்டது --

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12/12/2019
பிரிவுத் தலைவர்

1

364 pages

Pages 1 to 367.

GOVERNMENT ORDERS AND CONSULTATIONS RETAINED FILE NO.

Extracts from G.O.s and Consultations relating

to:- Non-cooperation and Khilafat movement.

(1) 1 -

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movement (1920-25) Events (1920)

IN THE MADRAS PRESIDENCY.

Reports on topics of current interest - January to March 1920 - recorded. 2

REFERENCE:-G.O.No. 569 (Confi) dated 7-9-20 Public Department.

Copy of a report dated the 26th December 1919.

I respectfully submit that there was a private meeting of the Madas Delegates in the Madras Camp (Beetha Nath High School) last night under the Presidency of Mr. Kusturiranga Ayyangar, a Nationalist leader, and the Editor of the Hindu, Madras.

There was an informal discussion as to what ought to be the attitude of the Madras delegates on the questions of the Punjab disorders and the Reforms Bill. Mr. C.Vijiaraghava Chariar was also present.

Political suspects V.O.Chidambaram Pillai, Harisarvotta Rao, C.Krishnaswami Sarma, Satya Murti Ayyar George Joseph Bar-at-Law A.Rangaswami Ayyangar, Editor, Swadesamitran, Madras, Pattabi Sitaramayya, Ram Das, Vakil, C.Raja Gopalachari and others took part in the discussion.

It was agreed that punishment of the officials responsibl for the shooting, and reparation for the victims among the people should be demanded.

Regarding the question of Reforms they were held to be unsatisfactory, but they should not be discarded lest the Moderates and other opponents should take advantage of them, and get into power. They should therefore make the best use of them, capture the electorate, secure the post of Ministers, and agitate further for complete Home Rule. It was decided that Co-operatio with the Government should be responded only so far as the vancement of the country is concerned, and when the well of the country is at stake they should oppose the Gove It was also decided that the Nationalists progra work as drawn up in the Nationalists Conferenc be introduced in the future working of the

~~be introduced in the future working of the Congress.~~

The King's Proclamation was also the subject of much comment. It was put down as an eye wash, and an unsatisfactory document. The conditional amnesty was adversely criticised and the delegation of powers to the Viceroy in the matter of the release of political prisoners is looked on with misgiving in as much as the Viceroy is not expected to give free amnesty to all political prisoners being under the influence of the bureaucracy.

Political Suspect V.O.Chidambaram Pillai who spoke in Tamil said that constitutional agitation and Satyagraha having proved ineffective weapons something more effective which he got the audience to guess should be reverted.to.//

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EXtract from a report of the 29th December 1919.

The Kings Proclamation was the subject of the heated debate.The attitude exhibited by SatyaMurti of Madras and his gang confirms my report about the Secret meeting held at the Madras Camp on the night of the 25th. He is reported to have vehemently opposed the Resolution of thanks to H.I.M. The King Emperor on the grounds among others that it is an unsatisfactory document, and it has no words of regret about the alleged atrocities in the Punjab. Mr. B.C.Pal of Bengal was also of the same view. But this view was not shared by Madan Mohan Molveya Mr. Ghandi and even Mr. Tilak Could not give his whole hearted support. Mr. Kusturi Ranga Iyangar assumed a dubious attitude in a way not to displease either party. Division among the Nationalists was feared. The Resolution was however carried out with a majority of only 25 votes. . . . .

Copy of a report dated the 6th January 1920.

I respectfully submit that Political suspects

Harisarvothama Rao, V.O.Chidambaram Pillai, Satya Murti Ayyar, Georg Joseph of Madras, C.Raja Gopalachari, and some other have brought with them the photos of the bullet holes in the walls of the Jallianawala Bagh, the wall and the places there where the dead bodies were piled up, and also the earth of the Bagh supposed to be coloured with the blood of the victims. Obviously they are intended for exhibtion to their friends who did not attend the Congress.

Copy of a report from an officer of this department dated the 25th January 1920.

The one topic of absorbing interest in the city of Madras for the past one week was the elections for seats in the Corporation of Madras for councillorship.

The aspirants for the vacancies vied with one another in lavishly spending in order to provide for the convenience of the voters and in some cases the voters were bribed and thus votes were pruchased, Those that could not accept money in return for votes were sumptuously fed in specially erected pandals opposite the polling stations. Never before in Madras was the competition between Brahmans and non-Brahmans so keen. It is widely spoken of in the City that Dewan Bahadur P.Theagaraya Chettiar actually set up many non-Brahman candidates to stand for election in some of the divisions against Brahman competitors. In one or two divisions he actually presided at election meetings and advised the non-Brahman voters not to give their votes to Brahmans. It is said that the "Justice party" did not wish that more than five seats should be captured by the Brahmans; and that they are already feeling disappointed because their trials were in vain as C.P. Ramaswami Ayyar, T.Rangachari, T.S.Ramaswami Ayyar and G.A.Natesan have already succeeded in divisions mostly consisting of non-Brahma voters.

(4)

5

II. The diarchy and the Irreconcilables.

There is a rumour in well-informed circles that Satyamurti and others who regard the Reform Act as "disappointing" are nevertheless trying to get into the new reformed Councils and will if returned prove to Parliament that diarchy is unworkable. These irreconcilables have got the whole or the major ~~prx~~ portion of the student population at their back and are the most popular men at present among those of the younger generation. They often point out to their followers that they would have a bright future before them if Labour came into power in England. They will, therefore, have many young fellows to work for them during the electioneering campaigns of 1920 for filling up the Legislative Council seats; these people are trying to oust the Moderates and get into the Councils, instead of, as could naturally be supposed, keeping back from the Councils. It is perhaps only in our Presidency such a feeling is rife so much so that persons like the Hon'ble Mr. Srinivasa Sastri are pleading at Public meetings for the return of men of all shades of opinion into the Councils so that it may conduce to a healthy discussion and better fulfilment of the duties that Indians will be called upon to discharge under the scheme. Satyamurti has lost his practice at the Bar and is being kept up by subscriptions and it is too soon for him to be appointed a Minister. He must rise only by propaganda work and by trading on the credulity of the younger generation.

6 (5)

EXTRACTS FROM THE G.OS. RELATING TO N.C.O. & Khilafat 1920-25

IN THE MADRAS PRESIDENCY. Events - 1921.

ABSTRACT OF THE G.O.

Assaults On Europeans by Non-~~Copperations~~ Cooperators - papers recorded.

REFERENCE:-G.O.No. 385(Confidentiial)dated 18-6-1921, Pub. (Mis

CONFIDENTIAL.

D.C.No. 950.

GOVERNMENTS OF INDIA.

HOME DEPARTMENT.

(Political)

Simla, the 31st May 1921.

Dear Marjoribanks,

The Government of India would be glad to learn whether any cases have occurred in Madras of assault or threatened assault on Europeans by persons going to or coming from non-co-operation meetings. Will you kindly telegraph your reply, giving a very brief account of any such incidents as may have come to the notice of the local Government.

Yours sincerely,

(Sd.) H.D.Craik.

To

H.E.Marjoribanks Esquire, I.C.S.,

Chief Secretary to the Government of Madras.

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The only case of this nature which has come to notice was one reported to Happell unofficially at the Club by A.A.Todd of Messrs. Gordon Woodroffe & Co.

Todd was returning from the beach in his car when he was held up by a crowd of Muhammadans who were returning from a Khilafat meeting. Insulting remarks were shouted out and one Muhammadan actually spat in his face. Not wishing to make a scene, he kept his temper and drove on.

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7 (6) -11-

EXTRACTS FROM THE G.OS. RELATING TO ~~NCO~~ NCO & Khilafat Movement (1920 - 25)

IN THE MADRAS PRESIDENCY. Miscellaneous (1922). Assaulted Native.

e

ABSTRACT OF THE G.O.

Legislative Council meeting, March 1921 - Jackson, I.C.S. Mr. G.H.Assault case - Question and answer - Recorded.

REFERENCE:-G.O.No.54(Ordinary)dated 21-1-1922, Public Dept.

xXXXXxx

New India dated 7-10-1920.

~~LEGAL.~~

L E G A L.

Madras High Court.....

(Napier J.)

Postman's Case against Mr. Jackson I.C.S.

Messrs. K.S.~~xxxxx~~ Jayarama Iyer and S.Satyamurthi applied for the admission of a criminal revision petition against the order of the Additional District Magistrate, Tanjore dismissing the complaint of hurt brought by one Poonusami, a postman, against Mr. Jackson, I.C.S., Special Settlement Officer, and awarding a compensation of Rs. 50 to be paid to Mr. Jackson by the postman.

In reply to His Lordship, Mr. Jayarama Iyer said that the additional District Magistrate had himself taken the case on his file.

His Lordship ordered notice to the Public Prosecutor and the accused and directed the case to be posted before a criminal Bench.

M.R.R.Y. Rao Sahib U.Rama Rao Avargal.

Assault case by Mr. G.H. Jackson, I.C.S.

Q517. To ask the Hon'ble the Home Member whether the attention of the Government has been drawn.

(a) to the decision of the High Court in the case of assault by Mr. G.H.Jackson I.C.S., on a telegraph peon at Tanjore, in April last;

(b) to the fact that the trying Magistrate A.J.King Esq; I.C.S., awarded compensation to the accused in this case, to be paid by the complainant which order the public Prosecutor found it impossible to support in the High Court; and

(c) to the letter written by the trying Magistrate to the accused in the present case offering the serviices of the Public Prosecutor; and whether the Government propose to take any steps in this matter.

517 A-- (a) & (b) Yes.

(c) The Government do not pdopose to take any steps in the matter.

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(8) -15-

EXTRACTS FROM THE G.Os. RELATING TO N.C.O. & Khilafat Movement 1920-25

IN THE MADRAS PRESIDENCY.

Events (Miscellaneous 1923. (Natives & Indians).

9

ABSTRACT OF THE G.O.

Europeans - serious assaults on -by Indians - Report proscribe

REFERENCE:-G.O.No.731(Confidential)dated 20-9-1923, Public Dept.

GOVERNMENT OF MADRAS.

Received. 1923. Registered. 1923.

Abstract.

Europeans - serious assaults on - by Indians - Report proscribed.

Public Department.

G.O.Mis. No.731. Dated 20th September 1923

O R D E R.

All District Magistrates and the Commissioner of Police Madras, are requested to report to Government without delay all cases which may occur within their jurisdiction of serious assaults of Indians on Europeans.

(By order of the Governor in Council)

~~Sd.-Chief-~~
x x x x x x x x x

Sd. For Chief Secretary to the Government.

10 (9) 17

EXTRACTS FROM THE G.OS. RELATING TO Non-Cooperation & Khilafat Movement 1920 to 1925
IN THE MADRAS PRESIDENCY. Event (Reaction to the visit of the Prince of Wales 1922

ABSTRACT OF THE G.O.

Royal Visit - His Royal Highness the Prince of Wales - Madras disturbances - Police and troops - Behaviour - commended.

REFERENCE:-G.O.No. 342(Ordinary) dated 13-3-1922, Judl. Dept.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

FOR RECORD ONLY.

G.O.No.342, 13th March 1922.

Royal Visit - His Royal Highness the Prince of Wales Madras disburbances - Police and troops - Behaviour - commended.

III

Official Memorandum No. R.V.157, Political, dated 11th January 1922.

The Government of India have asked that as soon as possible after the arrival of His Royal Highness the Prince of Wales in Madras a telegram should be sent to them describing the Prince's receiption. They have also asked for a second telegram to be sent at or towards the end of His Royal Highness visit summarising incidents, general impressions of the Prince's experiences, the popular attitude and any noticeable consequences. The Commissioner of Police is requested to supply material for the first telegram on the day of the arrival to the Chief Secretary and for the second telegram on the 18th instant.

R.A.Graham,

Acting Secretary.

(10) . 19.

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V

Letter From C.B.N.Pelly Esq., B.A., Commissioner of Police, to the Chief Secretary to the Government of Madras Political Department, dated the 15th January 1922, No. 117/2D.

With reference to Government Memorandum No. R.V. 157, dated the 11th January 1922, asking for a report describing the Prince's reception, I have the honour to submit the following report.

His Royal Highness the Prince of Wales landed at Madras 8-30 a.m. on 13th January 1922. He was received with vociferous cheers by thousands of specially invited guests and spectators gathered at the Harbour. The receiption enclosures and the stands erected along the Royal route were fully thronged by a representative gathering. Besides those seated on the stands thousands of sight-seers lined the route with eager eyes to have a look at the Prince. The Royal Visitor was lustily cheered all along the route and everything went off quietly till the Prince reached the Government House. The reception was, on the whole, a success.

Letter from C.B.N.Pelly, Esq., B.A., Commissioner of Police Madras to the Chief Secretary to Government, Political Department No. 117-1/I.D., dated the 15th January 1922, I have the honour to submit the following detailed report.

I have nothing to add to my remarks regarding the public reception accorded to His Royal Highness the Prince of Wales.

The first incident of hooliganism was at Kotwal Bazzar, Georgetown. A crowd collected there evidently to intimidate the shop-keepers from opening their shops. Military pickets which were already patrolling the area dispersed them.

A few shops in China Bazaar Road and Kotwal Bazaar and coffe hotels in Wall-Tax Road which were kept open were closed on account of the mischief of some rowdies of the locality. The toddy shops on Tiruvotiyur High Road and Raman Road were entered into and the pots emptied.

At about the same time trams were held up by a crowd of

Muhammadans and Hindus on the Triplicane High Road who pelted stones. Some of the 75th Carnatic Infantry who were stationed in the Triplicane police station as a reserve were sent up and the crowds were dispersed.

~~Ixxx~~ In Choolai, while the people were going to witness the procession they were molested and stoned in Hunter's Road and Choolai Bazaar Road by a large crowd which consisted chiefly of the rowdies of the locality and millhands. Trams were also held up and stoned and the glass window panes broken. Inspector shaw and Acting Inspector Qurashi Sahib, both of the punitive police, at once proceeded to the scene with some men of their force. Also a military picket was requisitioned from G-3 (Vyasarapadi police station) where a special party of 50 men of the 75th Carnatic Infantry was kept in reserve to meet emergencies. The crowd was driven into the side streets, and stone-throwing stopped for the time. But an hour later, a large crowd again collected in the same spot from the side streets and advanced in a menacing manner towards inspector Shaw. The Inspector and two of his men lined crossed the streets and Acting Inspector Qurashi Sahib warned the crowd that, unless they dispersed within five munites, fire would be opened. In the meantime, Messrs. Adinarayana Chetti and T.S.S.Rajan the so-called non-co-operation''leaders' [turned up & promised to pacify the mob if the] that he would open fire if this second warning was disregarded. Both the 'leaders' went among the people and persuaded them to go with them to another place where they could address them. Thereupon they dispersed.

[Margin note: ...ce withdrew Inspector ...aw naturally refused ...o accede to the request & again warned the leaders]

Another inident of some seriousness occurred opposite to the eastern corner of the Medical College. My Assistant Commissioner Mr. Kalim-ul-lah Sahib who left the habbour just as the Royal procession was about to start was stopped on the processional route by Assistant Labour Commissoner Mr. ~~Assistant-Commissioner-Mr.~~ Sundaracharlu and others who informed him that a mob was attacking people near the Medical College. He immediately diverted his course and proceeded to the scene. He found that six tram-cars were held up by a mob of about 200 persons who pelted stones and smashed the window glass panes.

The occupants of the car were running in all directions and their assailants shouting 'Mahatma Gandhi-ki-ji'. This officer immediately got together six reserve men who were close by and dispersed the mob with bayonet charge. Probably some were injured. The mob retreated to some distance only to shout 'Mahatma Gandhi-ki-jai".

At about 10 a.m. a large crowd mostly Muhammadans appeared on the Mount Road and attacked trams and motor cars and passers-by with stones and broke the flower pots kept as decorations around the Ripon statue. Next they turned their attention to the Elphinstone Picture Palace where they pulled down and destroyed the electric bulbs outside the building. Then they moved on to Maclure's shop where they committed similar acts of rowdyism. Vehicular traffic and pedestrians were subjected to gross insult and filthy abuse. Motor-cars belonging to Europeans were stoned and one Mr. Wilkinson was injured on his face with a broken bottle, but the injuries received by others do not seem to have been serious.

In the meanwhile, the crowd swelled in numbers and divided themselves into batches - one going towards Harris Bridge and the other towards Mount Road. At the Gaiety Theatre the decorations and electric fittings were destroyed and the tramway company's clock at Harris Bridge was smashed. The other party that marched towards Mount Road attacked the Wellington Cinema and the neighbouring shops.

When I arrived at the Ripon statue with the Deputy Commissioner Mr. Happell and my Assistant Commissioner, slight stone-throwing was going on and the mob had been to a great extent dispersed with the aid of the Leinsters, a party of whok were stationed in the D-1 (Tiplicane police station) Finding that there was a general outbreak of rowdyism in several parts of the city simultaneously, the Military Secretary to His Excellency the Governor at my request requisitioned for extra military aid and a detachment of the Dragoon Guards was sent which I distributed in the disturbed area. Sergeant Dare

who proceeded to the Gaiety Theatre made two arrests and the peice cleared the place.

In the Wellington Cinema, however, where most mischief was done, a Parsi named Dhanjibhoy, finding the safety of the European, Indian and Parsi ladies who took shelter there in imminent danger, fired two shots in the air with a revolver. The crowd retreated for a while and reappeared to make a more determined attack. Mr. Dhanjibhoy then fired at a man who appeared to the leader. The latter staggered and was subsequently found dead. Immediately after this incident two pickets of the Leinster Regiment arrived and one picket was stationed at the Round Tana and the other at the Wellington Cinema. In spite of the presence of the Military pickets crowds continued on the General Patter's Road the troops had to frequently clear the streets & while so doing were heavily stoned and as the crowd refused to disperse and continued to stone his party heavily in spite of repeated warnings he ordered his sergeant to shoot a man who was actually throwing stones and who also appeared to be the ring-leader. The sergeant fired one round killing the ring-leader and wounding one-other. This had the desired effect and the rioters dispersed this time for good.

the Captain Deane was in the charge of picket in General Patters Road on

When the rioting was going on in Mount Road, instances, to stone-throwing and molestation of passers-by were reported in Royapetta. The military and the police proceeded thither and suppressed further mob violence.

At about 9 a.m. there was a disturbance in the Cemetery Road in the northern part of the city which orginated on account of one Davis having kept his tavern open. He was directed by the adherents of the non-co-operation and the Khilafat movements to close his shop, but he refused. The shopman with the help of the Adi-Dravidas drove them away. Just then Lieut.Col. Bryson happened to drive along the road in his car which was hit by stones. A police party hurried on to the spot from H-2 (Rayapuram police station) and arrested four of the miscreants. Later on, at about 12 noon a party of Muhammadans enraged at the conduct of Davis for keeping his tavern open created a disturbance, thr[illegible] at the Adi-dravidas and set fire to a tatti and [illegible]

Bahadur S.Bhavanandam Pillai, Deputy Commissioner of Police, hastened to the spot with a body of armed reserve in a lorry, suppressed the disturbance and picketed the locality,. Eleven rioters were arrested of whom two were Adi-Dravidas.

At about the same time, a disturbance was started in front of Sir P.Tyagaraya Chettiyar's house in Tondirepet. About two to three hundred people, mostly workmen of the oil companies colleted there and pelted stones causing damage to the glass window panes and furniture. When Sir P.Tyagaraya Chetti was returning from the harbour after the arrival function was over his car was stoned near the Monegar Choultry Road. Diwan Bahadur S.Bhavanandam Pillai, Deputy Commissioner of Police on his return from the Legislative Council where he was supervising the arrangements proceeded expeditiously to the disturbed locality and arranged necessary pickets. Six arrests were made.

The locality near Pachaiyappa's College was also the scene of much disturbance. The Adi-Dravidas who were returning after the procession was over along the China Bazaar Road from the Law College Corner were jeered at and stoned by the National and Khilafat volunteers. The Adi-Dravidas retaliated but as they were few in number they took shelter in the Pachaiyappa's College and hurled stones from inside on the pedestrians. Thereupon the crowd outside tried to get at the Adi-Dravidas and the boy scouts, the latter of whom were staying in the college premises for the Royal visit. Attempts to get into the building were thwarted by the military picker which had already been stationed in the China Bazaar Road, Later the crowd swelled to about ten thousand. Sub-Inspector Westwood with a body of armed reserve men tried to disperse the crowd which was pelting stones on the tram-cars and the police. A reinforcement of 2 officers and 25 sepoys of the 75th Carnatic Infantry arrived. As the crowd refused to disperse and showed a defiant attitude, a bayonet charge was ordered. So far as it is known one man received an injury in his leg. He was removed by the National volunt[...]
At about 2-30 p.m. the crowd mustered strong in fr[...]
Pachaiyappa's College. They were dispers[...]

but they contInued to move up and down the China Bazaar Road committing slight mischief. They pulled down the flags and decorations of Perumal Chetti Company Spencer & Co., Smith & Co., and the banks close by and set fire to them. They tried to force open the premises of Smith & Co., but the timely arrival of the divisional police aided by the Ramnad reserve with fixed bayonets frustrated their object. Some of the rioters proceeded along Broadway and caused damage to the electric bulbs in Harrisons and the Empire Cinema, but they were chased away by the armed reserve. Meanwhile the crowd opposite the Pachiyappa's College swelled again and the situation was reported to be very serious. I proceedd o the spot on return ~~xxxxxxxxx&xxxx~~ from the Legislative Council and the Senate House with Colonel Murphy and my Assistant Commissioner after first visiting the Gaiety Theatre, Wellington Cinema, ~~xxxx~~ Round Tana, General Patter's Road, Pycrofts Road Triplicane Market, Janda, Triplicane Police.station and General Hospital where I found that three Europeans and two Indians were treated for injuries received during the day. On arrival at Pachaiyappa's College Colonel Murphy at my request ordered at once two armoured cars and also a further contigent of the military. I moved through the crowd and ordered it to disperse. The crowd was a mixed one and very orderly and many cheered me and Colonel Murphy as we passed along while the hostile section of it cried "Gandhi-ki-jai" 'Gandhi-ki-jai" It was not before 7 p,m. that the whole crowd dispersed. In this locality in four places some decorated wooden posts were burnt. Besides these, there were minor disturbances in other parts of the city which mainly consisted of stone throwing obstructing the vehicular traffic and offering indignities to the women and children returning after participating in the Royal welcome.

I was out going about the city till 1 o'clock in the night and found everything quiet.

I may mention in this connexion that the Choolai area was picketted with 150 men of the Punitive Force and a party of 50 men of the 75th Carnatic Infantry in G-3 (Vyasarpadi police station) as a reserve from the morning of the 12th. So also were the following places picketted from the same morning by the Military:-

Slaughter house area, Purasawakam Market area, Moore Market and Periamet area, China Bazaar Road area, Paracherri Bazaar Road area, Kotwal Bazaar Road area, Triplicane Market area and Chintadripet Market area.

The reserves for these pickets were quartered in the police stations close by. There was also a detachment of the Leinsters stationed in Triplicane police station.

After quiet was restored on the night of the 13th there had been no recrudescence of any act of hooliganism. His Royal Highness the Prince of Wales drove through dense crowds to attend the other functions and was acclaimed lustily all along the route. On the last day an immense crowd estimated at about 50,000 collected to witness the fireworks and to see the Prince off, but ~~nother~~ nothing untoward happened. People from adjacent villages also came to see the Prince. Rumours having been set afloat that the visitors to the fireworks would be molested on their way home, I again requisitioned the Military and had most of the important junctions picketted by them in addition to the Police.

The military were most useful in helping the Police and showed great for-bearance. I would particularly mention the splendid work done by the Officer Commanding the Dragoon Guards on the occasion of His Royal Highness the Prince's departure. Without their assistance, we could never have kept Government House bridge and the roads clear and they performed what were purely police duties most cheerfully and efficiently.

The popular attitude was undoubtedly one of reverence and regard for the Prince. From what I could gather of the general impression of the Prince's experiences, I can safely say that he was immensely pleased with the receiption accorded by Madras. The correspondents of London papers accompanying the Prince

have told me that the public attitude and the reception here compare more favourably with what he had received in other places.

Order No. 342 Judicial dated 13th March 1922.

The Government have received detailed reports on the dis turbances which occurred in the Madras on 13th January 1922, the day of the arrival of His Royal Highness the Prince of Wales, and they have examined the action which was taken to deal with them. The disturbances occurred in wiedely separated quarters of the City and the most serious of them took place in localities where they were least expected. While agreeting with Messrs. Pelly and Happell that an eror of judgment was committed by the sergeant and two sub-inspectors with a party of Police, who passed by the Round Thana between 10 and 11 a.m. on that day, the Government are satisfied that the police force as a whole, including those detachments which had been drafted into Madras from the mufassal performed their duties in an exemplary manner under the very trying conditions which were imposed upon them. The Government take this opportunity of commending the Commissioner of Police Mr. Pelly and the officers who assisted him for the manner in which they handled a difficult situation. They also wish to convey their thanks to the Officer Commanding Madras, and the troops under him for the very great assistance which they rendered and the willing and efficient manner in which they complied with every demand upon their services.

They also wish to acknowledge the public service rendered by Mr. M.S.Dhanjibhoy whose prompt action appears to have averted what might otherwise have become a very dangerous situation.

(By order of the Governor in Council)

R.A.Graham,
Acting Chief Secretary.

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EXTRACTS ~~RELATING~~ FROM THE GOS RELATING TO NC and Khilafat movement (1924-

IN THE MADRAS PRESIDENCY. Events (1922

19

Abstract of the GO.

(Karur riot - August 1921 - Officers' responsibility - Orders passed).

REFERENCE: G.O.No.658, (Confidential), d/ 20-5-1922, Judicial Department.

JUDGMENT

The Shanmukananda Theatrical Company was giving performances in the Sri Krishna Vinodha Theatre Karur from 25-6-21 to 24-8-21; and 24-8-21 was the last day of their stay. During this interval they were often approached by some of the accused who were members or volunteers of the Congress ~~Par~~ and Khilafat organisation, Karur for a benefit performance for the Congress Fund. Mr. Velu Nair who is the proprietor did not consent. Some of the accused persisted in their demand an when they found the proprietor unyielding they combined to take aggressive measures. On 24-8-21, the proprietor carted some of his samans for transport to the Railway station. The accused obstructed. The accused made a frantic effert in a demand for the last time in the early part of the night, and when they found the proprietor still persistent in his refusal they had recourse to dissuading the visitors from purchasing tickets and to throwing brickbats on the zinc-roof of the theatre and around it. The Police tried to pacify in vain. T play had to be stopped and the audience advised to leave the premises. The theatre was besieged by some of the accused wh kept on throwing open and stones and some of the mob forced the zinc carriage entrance open and rushed into the compound with a view to mob the theatre hall when the Police opened f This resulted in one death and one man injured. The accuse then consipired and divided themselves into several batches posting at different corners, looted a bamboo shop, carried away the clothing two constables who had falled in their ha and burnt them. They further watched the different exists around the theatre and mercilessly belaboured with sticks

sticks those that escaped from within the theatre. They continued to throw stones on the theatre the whole night and in the morning forced open the carriage entrance again. On the Police again firing one of them was injured. They then withdrew for a while only to resume their activity as soon as the Sub-Divisional Magistrate and other local officers entered the scene. They set fire to the sheds to the hayrick, to the single bullock-cart which were all within the compound and this caused damage to the extent of Rs.500/-. They also attempted to set fire to the main building by throwing kerosene on the wooden doors. The rioters numbered about 2000 and the accused were amongst those who took a prominent part. This is the Police Charge Sheet.

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Karur riot - August 1921 - Officers' Responsibility - Orders passed.

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dated 17--12--1921.

From the D.M.Trichinopoly No.10245, dated 20-3-1922.

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<u>O R D E R</u>. No.658, dated 20.5.1922.

A perusal of the reports received on the subject of the riot that occurred at Karur in August 1920 and the judgment of the Sub-Divisional Magistrate, Musiri, who tried the case that arose out of it, suggest that the Sub-Magistrate Magistrate, M.R.Ry. T.C. Ramanatha Mudaliar failed equally in his duty with the Sub-Divisional Magistrate, M.R.Ry. V.S. Somasundaram Pillai, in whose case orders have already been passed in G.O.1031, Judl., dated 17-12-1921. If these officers and the Tahsildar had had the courage to take some risks and had chosen to exercise their authority in the earlier stages of the trouble, instead of leaving the Dy.Supdt. to deal with the situation unaided, the Government consider that the mob might have been dispersed and peace restored much sooner than it was.

2. The District Magistrate, Trichinopoly is requested to frame charges on these items against M.R.Ry.T.C.Ramanatha Mudaliar, and call upon him to show cause why he should not be punished. If the punished which the District Magistrate after enquiry deems suitable involves degradation to a post in which M.R.R.Y.T.C.Ramanatha Mudaliayar will not exercise the powers of a magistrate the District Magistrate should submit report to Government.

3. At the same time the Government desire to record their appreciation of the services of M.R.Ry.R.S.Krishnaswami Ayar, Dy.Supdt. of Police who showed conspicuous courage and determination in dealing with a serious situation.

Can we ever get Swaraj without non-violence? Some say, that, sought we can conquer them openly, we should cause them trouble by secretly manufacturing bombs.

Now there is a Fituri in the Agency. If it now meets with success and if the British rule is got rid of, Seetha Rama Raju would be the ruler. If we acquire a Kingdom by sword, it would be like that.

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Extracts from GOs relating to NCO and Khilafat movt in the Madras Presidency - (Event -) (1920-1922) (1922)

21 LMGKI

2 34 (23) 45

G.O. 618, dt.28.7.1922: Public Confidential.

Sub: Non-co-operation - Sri Mahalinga Sarma - Objectionable Speeches.

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STRICTLY CONFIDENTIAL.

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From the Special Branch, Criminal Investigation Department,

dated 28th January 1922.

Extracts from a speech delivered by Mahalinga Sarma (46 pages) at a meeting held at Kumbakonam on the 19th January 1922 are submitted. Subjects: Giving up Drink, Repressive measures, Swaraj, Swadeshi, Civil Disobedience, and Enlistment of Volunteers. Audience and Chairman: Not reported. The speech was recorded in shorthand and the notes and a Tamil Transcript are on record.

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* * * * If we look at the sacrifice made by every country we have done very little. Be ready to disobey law like the Andhras.

* * * * * Wherever you may go, you will see that it is nothing but to call the Englishmen ~~campions~~ champions of liberty. We cannot find any other nation than the British people for cunningness, spoiling friendship (estrangement), breach of trust and love of aggrandizement. There are the French, Japanese and Americans but we cannot see anywhere the cleverness and cunningness of the English people. Look at Ireland, South Africa and Canada. Wherever you go you would find that liberty was granted only after being beaten. In Canada Freedom only after the Boer War. In Ireland the same. Similarly with us also. It will be only after non-co-operation movement that this sinful Government would be burnt down by our good luck and God's grace in the face of our creed of Non-violence, or righteousness and our justice. We are endeavouring to root it out and pour hot water. Carry out the intentions of the political leaders. Do away with the Government. Until then this movement is not going to stop. * * * *

* * * * *

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* * *The time for fearing the jail is gone. We should be ready to send to jail such Volunteers as are fit for it. We should be ready to sacrifice life. If you are ready togo to jail today put your signature. When we are endeavouring to do away with these authorities we should be prepared to make any kind of sacrifice we may enforce.

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STRICTLY CONFIDENTIAL.

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From the Special Branch, Criminal Investigation Department,

Dated 17th March 1922.

Extracts from speeches delivered by Mahalinga Sarma of Kumbakonam (70pages) and Venkata Krishna Pillai (36 pages) at a meeting held at Alungadu, Tanjore District on the 1st March 1922 are submitted. Sübject:- Anniversary of the opening of the National School. Audience:- About 80. Chairman:- Seshadr Ayyar. The speeches were recorded in shorthand and the notes and a Tamil transcript are on record.

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Mahalinga Sarma.

* * They created enmity among friends and thus acquired their kingdom. * * * *

* * They have ruined the Indian trade. * *

* * They say that the Great Indian Mutiny is due to greasing the cartridges with pigs' fat. But it is not so. It is due to the then misrule. It is due to Lord Canning's atrocious Government. * * * *

* * The villagers have got the right to establish and remove kings. As they give tax to the King, they are the masters of the King. The King is their cooly. * *

* * Wherever we go we can find the white men and the black men are given different treatments. * *

26 (25) 49.

* * You must think before you pay the tax as to where the money goes and what expenses they are making and whether there is any use in giving the tax. * * *

* If you see that money is improperly used then the land owners must stop their taxes. * * * *

* The Government must think that encouraging drink is not civilization. But the Government itself is leasing out toddy shops simply for the sake of their profit. They do this to make their mills and machines going and to avoid minimising their trade. They do this with a motive to make Indians drunkards. * * * * *

* * The British are here to pour toddy in our month * * * * * We paid 150 Crores for the war and we were rewarded, with Rowlatt Act. We are made slaves. The Government has become very fat and haughty. Injustice is increasing. ****They don't give us the education in which we can thrive but they give us the education by which will have to fight with our friends. * * * * * * * * * *

* * We must remove the foreign rule. * * *

Only when there is a bad time for the Government and when they lose their heads and when the Government becomes topsy turvy, repression will be resorted to greatly. * *

* * When we have the ability to destroy the Government why should we be afraid of it? * * * * *

* * Under this (British) atrocious Government, Indian women have lost their chastity. * * *

* * We Indians only know what chastity is. But they have connection between husband and wife six months before their marriage. If the man does not like the woman after this period of six months she will look for another man. They go on like this till 35 years of age. Even at 62 the need not marry. They call it as courtship. Such is their civilisation. So they do not know what chastity is.

** Congress Committee has brought out these facts and the Government did not contradict it. * * * * * * * Our ladies have lost their chastity and there is no justice in the British Courts. As the ladies have lost their chastity the British are going to lose their kingdom. * * There was a soldier in Kashmir. A woman with a child went to fetch water from a tank near by. This white beast (soldier) molested her and spoiled her chastity. The case came up for hearing before a magistrate. The certificate shows that she was raped. The Magistrate has acquited him on the ground that he is new to India and that he has done meritorious services in the War and so he must be released. **** ****The punjab atrocities are due to this dishonest Government's rule. They came here for trade. They took sides in the battles unscrupulously and established their kingdom. It is a treacherou kingdom. * * * The Military men should leave their work and go home.

* * * It is a truth that when we are born we know that we must die. Why should we not do all in our power to see that this dishonest Government is destroyed? * * * *

Venkata Krishna Pillai.

** ** ** Why should our land be in this deplorable condition? Have we no sense? Are we not men? Are our females still foolish in this respect? All our Indian Warriors went to the foreign land and won the Gernams for the sake of the British born loafers. * * * We should not follow Western Civilisation. There is no water in their country. They use paper for everything. * * * * *

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Strictly confidential.

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From the Special Branch, Criminal Investigation Department.

Dated 20th April 1922.

Extracts from speech delivered by Mahalinga Sarma (34 pages) at a meeting held at Kumbakonam on the 8th April 1922 are submitted. Sub

1922 are submitted. Subject:- Non-co-operation (National Week). Audience:-1000. Chairman:- Mahalinga Ayyar. The speech was recorded in shorthand and the notes and a Tamil transcript are on record.

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* * For the past few months the Government is suffering defeat after defeat. Day by day they are being defeated and their purpose or thoughts are being frustrated. Just as Drunken people do not realise their position, so also the Government does not seem to be aware of their disconfitures or at any rate are pretending not to be apprised of them. Though they know that they have no power of bending the will of the people they pretend not to know it. Though they know that they cannot meet by repression the agitation made by the people, they pretend as if they can control their agitation. * * *

* * They thought that if our leaders are incarcerated the movement will grow less but in fact it had not grown less. Many of our young men are still waiting to come forward. Even here they suffered a defeat. * * * *

* * It is said that Truth and Dharma were incarcerated (and not Gandhi). Truth and Dharma can possibly in jail only in an unjust and improper Government. * * * * * * * *

* * Just as a drowning man is catching at a straw, this Government has caught hold of the non-Brahmins and are setting faith in them. In the Great War - the 18 days war - it was necessay that Uncle Sakuni had to play an important part. So also in this Government which is fast sinking down, the nons (non-Brahmins) are playing the part of the uncles of the bureaucrats. There was only one uncle to the family of Duriyodhana but to this Government there are several uncles playing the part of Sakuni. Our object will soon be crowned with success. In their meetings (meetings of non-Brahmins) we find no C.I.D. people at all but in our meeting it is not so.

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(20) 55 29

STRICKLY CONFIDENTIAL.

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From the Special Branch, Criminal Investigation Department.

Dated 25th April 1922.

Extracts from a speech delivered by Mahalinga Sarma Sarma (31 pages) at a meeting held at Kumbakonam on the 11th April 1922 are submitted. Subjects:- National Week and its significance, Khaddar, Swaraj and Hartal. Audience -1000. Chairman:- G. Venkatarama Ayyar. The speech was recorded in shorthand and the notes and a Tamil transcript are on record.

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* * India was governed formerly by Kings who did not swerve from uprightness. Such times have gone by. She went under a foreign ruler and as the people were shedding tears from intolerable injustice of the foreigners, this National Week came to be observed as a remedy. * * * * *

* * Punjab atrocities canot be counted. This Government sentenced one lad to transportation. These atrocities will never let this Government and these authorities go scot-free.

* * * The Government Authorities have no sense of justice or integrity. * * * * * * *

* * Just look into the nature of this unjust Government.

** ** ** In former days there was no Government so unjust in every way as this Government. * * * * * * *

* * To show our faith in God and that we hate this unjust Government, you ~~xhaxx~~ should close your shops. * * *

I*I*I*I*I*I*I

Extracts from G.O.s relating to NCO and Khilafat (1920-25) in the Madras Presidency (Reaction-(Politics)) (1920-25)

125 (MGK)

30 (24) 57.

G.O. No.Ms. 678. dt. 23.10.1920., Public Confidential.

Sub:- Political - Non-co-operators - How to be treated by Government servants.

The following is the summary of the instructions of the Government of Madras:-

Any person who resigns a title or office to mark his adherence to non-co-operation programme should not be invited by a Government officer to any public or ordinarily to any social function but if such persons call on official business they must be received and accorded the same treatment as any other member of the Public who may have official business to transact; it is not for Government Servants to retaliate by withholding official assistance where it is called for. The same rule should be applied to quasi-public but not official relations, such as membership of health and welfare Association. In general however to purely social relations , the Government must leave it to their officers to exercise their discretion not only in the cases stated, but also with regard to known non-co-operators.

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31 (30) 59

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements Reaction (Attendance) (1920-25) Policy (1920)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

ELECTIONS ... Political Pressure - Policy to be adopted

REFERENCE:-G.O.No. 706(Ordi) dated 2-11-1920, Public Dept.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC (REFORMS) DEPARTMENT.

G.O.No. 706 dated the 2nd November '20.

Letter from the Secretary to the Government of India, Home Department (Political) No. 4335, dated Simla the 8th October 1920.

In view of the adoption of the programme of non-co-operation and the inclusion in it of the policy of boycotting the new Councils I am directed to address you on the subject of the action to be taken in cases where undue influence is brought to bear by promoters of the non-co-operation movement on candidates who seek election or voters who desire to vote. While the leaders of the movement may not advocate any open intereference with or exercise any undue influence upon, candidates or voters, it is highly probable that their adherents will in many cases by threat of social boycott or other illegal means endeavour to dissuade candidates from standing for election or voters from recording their vote. I am therefore to bring to your notice that under Section 171-C of Chapter IX-A of the Indian Penal Code which is inserted in that Code by the Indian Elections Offences and Inquiries Act, 1920, any person who voluntarily intereferes or attempts to interfere with the free exercise of any electoral right commits the offence of undue influence at an election. An electoral right, is defined as the right of a person to stand or not to stand as, or to withdraw from being, a Candidate or to vote or refrain from voting at an election. Whoever commits the offence of undue influence at any election

may be punished with imprisonment of either description for a temm which may extend to one year or with fine or with both. The law therefore amply provides for the case of those who by undue influence induce or attempt to induce any member of the community who has the franchise from exercising or refraining from exercising an electoral right, and I am accordingly to suggest that persons who can be proved on reliable evidence to have committeed this offence should be prosecuted. Attention is invited to the fact that such prosecutions are subject to the provision of Section 196, Criminal Procedure Code.

The Government of India attach importance to uniformity of Action in this respect, and trust therefore that with the permission of His Excellency the Governor in Council steps may be taken to give effect to this policy if and when occasion arises.

O r d e r:-

Recorded.

(True Extract)

(SD) A. KNAPP.

Secretary to Government (Reforms)

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Extracts from GOs relating to NCO and Khilafat movements in the Madras Presidency (Reactions) (1920-1925) Reactions from 1921

14.(M.G.K.)

(32) 63

33

G.O. No.138, dt. 11.3.1921, Public.

Sub:- Non-co-operation in schools and Colleges. To be reported to the Government of India.

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The following is an extract from the letter of Government of India to Madras:-

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3. Two other matters have occurred to the Government of India which they desire to suggest for the consideration of local Governments.

(i) It is believed that the parents of students are as a body opposed to non-co-operation in educational institutions. No doubt use has already been made of this fact with a view to bringing influence to bear upon recalcitrent pupils. It is, however, a matter for consideration whether the influence of parents could not be utilized in an organised fashion, eg. by taking every step to interest parents in the educational institutions attended by their sons and possibly by the formation, where this seems desirable, of committees of parents.

(ii) The Government of India attach great importance to the appropriate filling up of the posts of hostel superintendents. It is possible that in some cases the superintendents are poorly paid and of a type unable to use due influence over the students. No doubt consideration will be given to this point.

In fine the Government of India consider that every means should be taken to induce the co-operation of moderate opinion in combating this pernicious movement. Education is, under the reforms, a provincial transferred subject, and it will be for the local Government to take such action as they deem suitable in view of the present situation. But the Government of India have deemed it not beyond their own province to make the suggestions contained in this letter.

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Extracts from GOs relating to NCO and Khilafat movement in the Madras Presidency (Reactions of the Govt (1921)

65

155 M.Cr.K1 34 (33)

G.O. No.172, dt.26.3.1921. Public.

Sub:- Legislative Assembly question - Committee to deal with Non-co-operation.

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Question No.395.

~~Desx~~ Mr.Darsy Lindsay, C.D.E.

Will the Government of India state whether they would welcome the assistance of the Chamber of Princes, The ~~council~~ Council of State and the The Legislative Assembly which Bodies in the appointment of separate or joint committee might by they deliberations be in position to offer valuable suggestions to Government in dealing with the situation created by the non-co-operation movement?

Answer.

Mr.S.P.O'Donnell.

The Non-co-operation movement is a matter primarily affecting British India and, in so far as this is the case, is not a matter in which the assistance of the Chamber of Princes need be involved at present. The Government of India would welcome any assistance from either of the Indian Legislative Chambers as to the Policy which should be adopted in dealing with this difficult question and it is open to the Hon'ble Member to promote a debate on this subject at any time. The Government of India have addressed Local Governments on this subject explaining the present policy and inviting their suggestions as to any other measures which local Governments might consider suitable but they are doubtful whether a committee would serve any useful purpose at the present juncture.

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Extracts from G.Os relating to NCO and Khilafat movement in the Madras Presidency (Policy - Govt. servants and NCO (1920-25) (1921)

18 (M.G.K.) 35 (34) 67.

G.O. Ms.No.265, dt. 2.5.1921: Public.

Sub:- Government Servants - Taking part in political meetings.

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GOVERNMENT OF MADRAS
Public Department.

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G.O. No.265, dated the 2nd May 1921.

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Government Servants' Conduct Rules. Taking part in Political Meeting.

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ORDER -- No.265, Public, dated 2nd May 1921

Rules 21 and 21-A of the Madras Government Servants' Conduct Rules, which correspond to rules 22 and 23 of the Government of India Rules as corrected up to December 1919 prohibit Government servants absolutely from taking part in political movement in India or relating to Indian affairs from attending political meetings their presence at which is likely to be misconstrued, and from canvassing or using their influence in any way at elections.

2. Since these rules were framed conditions have changed owing to the inauguration, under the name of non-co-operation of a campaign which has for its object the paralysis of Government and which seeks to attain this object by seditious and unscrupulous propaganda amongst the masses of the people. In addition it has been recognised that the restrictions on the participation of Government servants in elections inter-ference unduly with the political activities of persons who are not whole-time Government servants. The Government of India have accordingly decided to amend these rules. As they will not stand they are appended to this order.

3. It will be observed that participation in politics by Government officers is still discouraged and whole-time Government servants are still prohibited from the exercise of influence at elections. It will no longer be incumbent on them however to maintain silence in the face of a revolutionary movement such as, according to the utterances of many of its advocates, the preaching of non-co-operation tends to

become. It will on the contrary be their duty to oppose this movement openly and by every legitimate means in their power and take opportunities of contradicting the misstatements with which it is almost invariably accompanied. In the ordinary course of their duties occasions must frequently arise of which Government servants can take advantage to set right popular misconceptions. Further, while it is not desired that Government officers should themselves convene meetings to combat non-co-operation the Government would fully approve of their participation in such meetings when convened by non-official leaders of public opinion, particularly by Members of the Legislative Council, upon whom the Government confidently rely vigorously to counteract a movement so opposed to the real interest of the people.

4. The general policy of the Government of India was sent out in the resolution of the 6th November 1920, which has received wide publicity. Briefly it is that freedom of speech should be allowed as far as possible and so long as there, is no incitement to violence. Freedom of speech has hitherto however been almost all on one side and there is no doubt that it has been abused; and though there may have been comparatively few instances of overt incitement to violenc resort to intimidation has been wide-spread and systematic. Instances have been brought before the Legislative Council and many others have come to the notice of Government, but it has seldom been possible to take action because of the disinclination of the sufferers to make formal complaints to the authorities from fear of exposing themselves to further molestation. The Government therefore wish their officers to let it be understood that the are prepared to protect those who are subjected to indignities and persecution because of their adherence to the principles of orderly Government and their rejection of revolutionary ideas. The treatment to which they are subjected must often be such as to constitute

37 (36) 71

~~as to constitute~~ an offence under section 506 or section 508 of the Indian Penal Code, and it is important that, if co m-plaints received, they shall be investigated promptly by res-po/nsible officers. Even where no actual complaint is recei-ved, it is legitimate under section 155 (2) of the Criminal Procedure Code, for a magistrate of the first or second class to order a police inquiry, which may bring to light facts sufficient to form the basis of proceedings. It is not how-ever so much on such proceedings -- or on punitive or pre-ventive action under other provisions of the Penal Code and the Criminal Procedure Code -- as an active counter-propa-ganda that the Government rely to combat the spread of non-co-operation. They wish therefore to lay special emphasis on the fact that, whether in connection with such counter-propaganda or not, they expect all their servants to stand forward openly as opponents of the movement.

(By Order of the Governor in Council)

N.E.Marjoribanks,

Acting Chief Secretary.

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EXTRACTS FROM THE G.OS. RELATING TO N.C.O. & Khilafat Movement 1920-25

IN THE MADRAS PRESIDENCY.

Reaction of the Govt. 1921. (Recautionary measures)

ABSTRACT OF THE G.O.

C ✓

Ingress into India - Entry of undesirable into India through Ceylon - papers recorded.

REFERENCE:-G.O.No. 510(Confidential)dated 12-8-1921, Public Dept.

PUBLIC DEPARTMENT.

NO.4339-1.

From

The Honourable Mr. R.A.Graham, I.C.S.,

Acting Chief Secretary to the Government of Madras,

To

The Secretary to the Government of India,

Home Department.

Dated Fort St. George, the 9th December 1920.

Sir,

Foreigners - Ingress into India.

I am directed to bring to the notice of the Government of India with special reference to the instructions received from time to time with regard to the exclusion of undesirable individuals, the fact that, under existing rules and ordes, it is impossible to stop any peson who, having succeeded in landing in Ceylon, wishes to come thence into India.

2. The two provisions of War legislation which might ordinarily be relied on as effective safe-guards were the Defence of India Passport Rules, 1917, and the orders issued in the Notification of the Home Department No. 909, dated 22nd August 1914, regulating and restricting the entry of Foreigners into British India and their departure therefrom. In their letter of the Home (Mis.) Department No. 815-1, dated the 10th February 1920 this Government suggested the desirability of removing the restrictions imposed in the Notification referred to above on the departure of foreigners from British India. But the

Government of India have in their Notification of the Home Department (War) No. 477, dated the 20th April 1920 cancelled the restrictions on the entry into India as well, and the passport rules have in effect been nullified by the exemption from the operation of these rules of all travellers between any part of India and Ceylon - Vide Foreign and Political Department telegram No. 1219 G, dated 14th August 1917. The result has been that several undesirable characters have had no difficulty in entering India and local police have been blamed for a state of affairs over which they had no control.

2. The rules to be issued by the Government of India under Section 3 of the Indian Passport Act, XXXIV of 1920, will presumably follow in substance those now in force under the Defence of India Act and will provide also for the exemption of persons whom it is not considered necessary to force to take out passports. Experience has shown however that the present exemption is too wide, and it was probably never intended that all persons, whether domiciled in India or Ceylon or not should be freed from the necessity of providing themselves, with passports. Until the issue of the Government of India, Home Department (War) Notification No. 477 dated the 26th April 1920, a permit was required of foreigners landing at Dhanushkodi and for practical purposes this was effective, since a permit could be refused to an applicant who had not a satisfactory passport or equally trustworthy credentials; and unless the Government of India are prepared to reimpose this restriction, I am to ask that the exemption intimated in telegram No. 1218 G, dated 14th August 1917 from the Government of India, Foreign and Political Department may at once be modified so as to restrict its application to persons bona-fide domiciled in India or Ceylon. Persons of other than Indian or Ceylonese extraction should be required to produce either passports or certificates of domicile before entering British India.

I have the honour to be etc.,

Sd. R.A.Graham.
Chief Secretary.

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EXTRACTS FROM THE G.OS. RELATING TO N.C.O & Khilafat Movement 1920-25

IN THE MADRAS PRESIDENCY. Reaction (Prosecutions) -1921.

ABSTRACT OF THE G.O.

Sedition - C.P;C. Section 108 - Khilafat Committee - Tanur - Notice issued by - Proceedings sanctioned.

REFERENCE:-G.O.No.514(Confidential)dated 15-8-1921, Public Dept.

Under the provisions of section 108, of the code of Criminal Procedure the Governor in Council hereby authorises the institution of proceedings under that section against the printer, author and publisher of the notice in Malayalam dated Calicut, the 16th July 21, and signed by Aminummane Kath Parikutti Moulvi, Secretary Khilafat committee, Tonur, of which a copy and an English translation are annexed to this order.

N O T I C E.

Bi

It has been made clear as day light by Quran and traditions of our Prophet and decided by the unamimous verdict of all Imams that it is the bounden duty of all Muslims to endeavour in attaining Swaraj for all Muslims and in maintaining the Khilafat power as enjoined in the Islam religion with their body, wealth and writings as much as possible and to non-co-operate with the other religionist who are enemies of our religion and who attack Islam religion and its followers and also with those who help such enemies. Such being the case, it is really suprising to see a notice dated 29-6-1921 issued under the signatures of four persons that is (1) Ponnani Puthenveettil Kallakakal Muhammad alias Kunhi Bava (2) Kuttayi Kallengalakath Koyotti aliasm Abdul Asiz (3) Pudiangadi Puthukayil Pudia Maliakkal Ahammad (4) Ponnani Palathumveettil Muhammad to the effect that the abovesaid Kilaphate etc,

are now contrafy to the teachings of our religion. But I am always prepared to prove at any place and in the presence of any person by the unanimous documentary verdicts of Ulemas (learned persons) based upon Quran and Prophet's traditions that those who would speak as stated in the above notice, those who would pass resolutions on the above lines and those who would agree with these resolutions are traitors to our religion and have rendered themselves Kaffers (infidels)

2. It is clear that the above signatories are selfish people. For, it passes my comprehension to find out on what grounds they said in the notice that Kilapahat and allied subjects are now opposed to the teachings of Islam. Am I to understand that in future our actions are not to be guided by our religion or that the rules of our religion are time barred? Or is it that they are suspended for a time? They stated in the notice that they would prove these absolete arguments by verses from the Quran and Prophet's traditions. Do they imagine that they could fabricate verses and traditions just as the Kafir Mussailmathul Kaddab and others did, or do they think that they could do just as the Jews did in their religions hood howrath, in respect of verses connected with Regimi etc? Oh! do they conceive they could give their own interpretation to the verses and traditions omitting certain portions therefrom with the object of hiding the truth just as are seen in Mahak and other translations? It is not understood what else could be their object. I am sure that no man having a little of common sense will be prepared to attend to the words of these traitors to the religion nor will be prepared to co-operate with them.

3. Most of Musaliars mentioned in the notice are well-known by certain documents to be enemies to the Kilaphat movement and as such they are counter parties to all the Muslim Khilafaters. Thus no resolution passed exclusively by the Moulvis mentioned in the notice can be binding on any Muslim.

4. If it is intended that the real truth should be ascertained, it should be decided by arbitrators acceptable to both parties after hearing arguments and taking documentary evidence from the Moulvis who preach Khilafat etc. to be necessary obligations according to Muhammadan religion and from the contesting Moulvis and from the people on either side. Excepping this, there is no course for arriving at the truth in the disputed points. It will thus be apparent to all that that the signatories to the notice are not justified in convening the meeting referred to in the notice. These words are quite sufficient for good people having regard for truth.

Sd/Aninummankath Parikutti
Moulvi.
Secretary, Khilafat Committee, Tanur

Printed at the Lakshmi Vilasam Press,
Calcut, 16th July 1921

Extracts from G.O.S relating to NCO and Khilafat movements in the Madras Presidency (Reaction of the govt.) 1921

16 SMG-151

43 (42) -83-

G.O. No.610, dt. 16.9.1921: Public.

Sub: Legislative Assembly Question: 1921 - Non-co-operation - Salem District.

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230 (301) Q. -- To ask the Hon'ble Home Member --

(a) whether it is a fact that the Collector of Salem has directed his subordinates to inquire and submit to him information on the following points:--

(1) how many non-co-operators are working in the district,

(2) how many lecturers, paid or honorary, are working in the district in favour of the Movement

(3) Whether there is any khilafat movement;

(4) whether these movements are spreading vigorously;

(5) Whether there is any anti-drink movement and how far it has progressed;

(6) How far the land revenue and other items of revenue are affected;

(7) whether the local fund cess is affected or any other items of local board income; and

(b) to state if all or any of the subordinates have sent in their reports in the matter as ordered by the Collector; and, if so, whether the Government have any objection to make the result of the inquiry public.

230 (301) A. -- The Government have no detailed information as to the arrangements made by the Collector to keep himself informed concerning the political situation in his district As at present adviced they do not propose to interfere with his discretion in this matter or to order the publication of any information he may have collected.

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44 (43) - 85'.

EXTRACTS FROM THE GOS RELATING TO N.C.S. & Khilafat Movement

Reaction (Prosecution) 1920-25

IN THE MADRAS PRESIDENCY.

Prosecutions - 1921

ABSTRACT OF THE G.O.

(Prosecution of Moulana Sahib - Sanctioned)

REFERENCE:- G.O.No.617 (Confidential) dated 19-9-1921.Public Department.

The Government of Madras Sanctioned the prosecution of Moulana Sahib of Madura town, in respect of a speech delivered by him at Tanjore on 24-8-1921.

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45 (44) 87

EXTRACTS FROM THE GOS RELATING TO. N.C. 524 Khilafat Movement Madras 1920-25

IN THE MADRAS PRESIDENCY. (Prosecutions) - 1921.

Abstract of the G.O.

(Prosecution of Maulvi Muhammad Sherjuddin Sahib - Sanctioned) ~~Ordered~~/

REFERENCE: G.O.No.659 (Confidential), dated 30-9-1921, Public Department.

The Government of Madras sanctioned the prosecution of Moulvi Muhammad Sherjuddin Sahib of Vellore in respect of a speech delivered by him at Vellore on 20-8-1921.

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(45) 81

EXTRACTS FROM THE G.OS. RELATING TO N.C.O and Khilafat movement Govt servants' participation-(1921) - Attitude of Govt (1921)
IN THE MADRAS PRESIDENCY.

46

ABSTRACT OF THE G.O.

Legislative Council question - October 1921 - Vasudeva Ayyar - Government Pensioner - N.C.O. Meeting - Trichinopoly - Participation in - Village Officials - Government servants - N.C.O. Meetings - Participation in - Attitude of Government.

REFERENCE:-G.O.No. 823 (Ordi) dated 22-11-1921, Public Dept.

ATTENDANCE OF GOVERNMENT EMPLOYEES AT NON-CO-OPERATION MEETINGS.

944 (966) Q- Munshi Muhammad Abdur Rahman Sahib:- To ask the Hon'ble the Home Member--

(a) whether the attention of the Government has been drawn to the article headed "What will the Government do" published by a co-operator on 19th September 1921 in Justice of the 20th September 1921;

(b) whether it is a fact that a retired clerk of the Registration department, one Mr. Vasudeva Ayyar, presided over a meeting held on Saturday the 17th September 1921 at Trichinopoly to boycott His Excellency the Governor's visit to Trichinopoly;

(c) whether Government pensioners can behave thus and yet continue to receive pensions from the Government;

(d) whether Government officers such as village karnams and village munsifs can attend non-co-operation meetings and help in their mischievous propaganda work;

(e) whether Government employees from clerks to officers can attend non-co-operation meetings or help in their mischievous propaganda work; and

(f) whether the Government propose to issue immediate injunctions to all Government employees and servants not to join non-co-operation on pain of summary dismissal from the service.

944(966) A (a) & (b) The Government are enquiring into the matter.

(c) It is within the competence of the Local Government to withhold withdraw pension of any retired officer who, after a warning persists in the active support or advocacy of the non-co-operation movement.

(d) Such conduct on the part of village munsifs or karnams would render them liable to dismissal.

(E) & (F) The attention of the Honourable Member is drawn to G.O.No. 265, Public dated the 2nd May 1921, which contains a pronouncement of the attitude of the Government in the matter Governmentx officialsx who act in the manner indirected in the question render themselves liable to dismissal.

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Extracts from GOs relating to NCO and Khilafat movt (1920-22) in the Madras Presidency - Reaction of Mappila (1921)

17.(M.G.K)

48 (47) - 93

G.O. Ms. No.683, dt. 11.10.1921, Public.

Sub: Repressive Laws Committee - Report.

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REPORT TO THE GOVERNMENT OF INDIA OF THE COMMITTEE APPOINTED TO EXAMINE REPRESSIVE LAWS.

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A Resolution was moved on the 14th Febmaury 1921 in the Council of State by the Hon'ble (now Right-Hon'ble) Mr. Srinivasa Sastri to the effect that a Committee be appointed by the Governor General in Council to examine the repressive laws on the Statute book, and to report whether all or any of them should be repealed or amended. This resolution was carried, and in accordance with the instructions contained in Resolution non-533-Political, dated March 21st, 1921, we have examined the following Regulations and Acts:-

(1) The Bengal State Offences Regulation, 1804.

(2) Madras Regulation VII of 1808

(3) Bengal State Prisoners Regulation, 1818;

(4) Madras Regulation II of 1819

(5) Bombay Regulation XXV of 1827;

(6) The State Prisoners Act; 1850;

(7) The State Offences Act, 1857

(8) The forfeiture Act, 1857;

(9) The State Prisoners Act, 1858

(10) The Indian Criminal Law Amendment Act 1908

(11) The Prevention of Seditious Meetings Act, 1911

(12) The Defence of India (Criminal Law Amendment) Act 1915.

(13) The Anarchical and Revolutionary Crimes Act, 1919.

2. Appendix A to this report gives the names of the witnesses who were invited to give evidence. We examined at considerable length 20 witnesses, some of whom came from distant provinces at much personal inconvenience. We desire to record our appreciation of their public Spirit. We have also considered the opinions of local Governments and some written statements sent by witnesses or by recognised associations. In

addition we perused a large amount of documentary evidence in the shape of reports of disturbances, confidential reports on the political situation, speeches delivered at public meetings, debates in the Legislative Council when the Acts under consideration were introduced, and correspondence with local Governments regarding the exercise of powers under these Acts, and the proceedings of the previous Committees, including the Sedition Committee.

3. The reports from local Government shew that recourse was had to these 'repressive' or 'preventive' enactments only in cases of emergency or to deal with exceptional disorder for which the ordinary law did not provide any adequate remedy. It is also proved that the Government of India have scrutinised with the greatest care all requests for either the introduction of the Seditious Meetings Act or action under the Defence of India Act or the Indian Criminal Law Amendment Act, 1908. During the war the maintenance of internal peace was a supreme consideration and early preventive action was essential.

The first question then that we have to decide is whether with the conclusion of the War and the introduction of constitutional changes in the Government of India, there has been such an improvement in the general situation as to justify the repeal of all or any of these measures. We have particularly to consider whether there exists such an anarchical movement as prevailed in Bengal during the last decade, or any probability of recrudescence of a movement, which at that time seriously disturbed the tranquility of certain parts of India. On this point plain speaking is unavoidable.

4. The evidence of many witnesses indicates that the constitutional reforms have produced a distinct change for the better and in the attitude towards Government of the larger portion of the literate classes. As regards the illiterate masses,

the position is much less satisfactory. It must be recognised that recent appeals to racial feeling, religious prejudice or economic discontent have in fact shaken respect for law, government and authority, and "created an atmosphere of preparedness for violence." Intimidation, social boycott and the establishment of courts, the jurisdiction of which is in some cases enforced by violence and insult, are among the methods employed to create a situation full of dangerous potentialities. Similarly, while many witnesses expressed the view that the general position had improved and that the cult of the non-co-operation had generally failed to appeal to more thoughtful persons, we are forced to the conclusion that the leaders of this movement have succeeded in arousing a deep and widespread feeling of hostility towards Government. It is, however, as yet more marked in urban than in rural areas,. The large number of serious riots during the past seven months* cannot be regarded merely as passing ebullitions of temporary discontent. The disturbances in places so widely apart as Rae Bareli, Malegoan Nagpur, Giridhi Dharwar, Aligarh and Matiari indicate a growin contempt for law and order. We have no doubt that economic and agrarian discontent has been exploited by agitators, and that these riots have in many cases disclosed a disregard of authority or an attempt to intimidate the courts or officers carrying out the orders of the courts, which justifies us in ascribing them to an active and malicious propaganda. In atte ting any survey of the present political situation we cannot leave out of account further dangerous developments adumbrate by leaders of the non-co-operation party. To illustrate thi point we cite some extracts from recent speeches.

(1) "Mahatma Gandhi says that if you are determined SWARA can be attained within one year. The machinery of the Govern ment is entirely in your hands. ** ** **. At first we will request the military and the police to throw up their servic with the Government. If this request is rejected the public

will be asked to refused to pay taxes and then you will see how the machinery will work. We do not recognise the authorities of the present Government and refusal to pay taxes will settle everything. This can only be achieved by Unity. Now it rests with you whether you will sit under the SATANIC flag or will come under the flag of God. The day will come when the sweepers, washer-men and others will be asked to boycott those who are on the side of SATAN."

(2) "I believe that the real struggle with Government will commence when we withhold payments of taxes. In that case Government will come to its senses. I require students these days. Some are required for (work among the) tenantry. When they will refuse to pay taxes and Government will issue warrants and send its sepoys, the peasants will boldly defy its order and will say "Kill us or put our property to auction, but we would not pay taxes with our hands."

(3) We may also quote an extract from an article in "Young India" by Mr. M.K.Gandhi:-

> "Civil Disobedience was on the lips of every one of the members of the All India Congress Committee. Not having really ever tried it, every one appeared to be enamoured of it from a mistaken belief in it as a sovereign remedy for our present day ills. I feel sure that it can be made such if we can produce the necessary atmosphere for it. For individuals there always is that atmosphere except when their civil disobedience is certain to lead to bloodshed. I discovered this exception during the SATYAGRAHA days. But even so a call may come which one date not neglect, cost it what it may. I can clearly see the time coming to me when I MUST refuse obedience to every single state-made law, EVEN THOUGH THERE MAY BE A CERTAINTY OF BLOODSHED (our italics). When neglect of the call means a denial of God, Civil Disobedience becomes a peremptory duty."

(4) The following are Resolutions passed by the All-India Congress Committee of Bombay:-

(i) "The All-India Congress Committee advises that all persons belonging to the Congress shall discard the use of foreign cloth as from the 1st day of August next and advises all Congress organisations ** ** ** collect foreign cloth from consumers for destruction or use outside India at their option."

(ii) "It is of opinion that Civil Disobedience should be postponed till after the completion of the programme referred to in the Resolution on SWADESHI afterwhich the Committee will not hesitate if necessary, to recommend a course of Civil Disobedience even though it might have to be adopted by a special session of the Congress. Provided however it is open to any Province or place adopt Civil Disobedience subject to the previous approval of the Working Committee obtained within the constitution, through the Provincial Congress Committee concerned."

Witnesses unanimously agreed that civil disobedience particularly if it took the form of a "no-revenue" or "no-rent" campaign, would result in widespread disorder, and that a boycott, whether of foreign goods or of liquor if accompanied by intimidation, might result in violance. The boycott of foreign cloth is apt to raise prices, and the consequent economic distress would end in "hot looting" such as has occurred in the past.

5. In the light of the eviden e before us it is therefore impossible to describe the state of affairs to-day as normal. Nor is India singular in this respect: the reaction from the war is world wide and no country has escaped its effects. There are however grounds for hoping that an improvement has

begun: there are signs of a gradual adjustment to POST BELLUM conditions: a favourable monsoon would do much to remove economic discontent: the relations between Government offi. officials and the public, between the Ministers and officers serving under them are admittedly undegoing successful adjusgment: finally, the response made to the opportunities offered by the Reformed Councils, no less than the attitude of the Executive and the Legislators of mutual co-operation is encouraging. But as militating against this improvement, there is an active widespread campaign which, if judged by recent utterrances, is certain to increase economic difficulties and to promote disseffection and violence.

6. We have carefully scrutinised the evidence dealing with the Khilafat movement. With its religious aspect the Committee is in no way concerned: indeed we fully sympathise with the desire for favourable peace terms for Turkey, but it is our duty to examine closely the activities of the extreme leaders of this movement and the methods by which they seek to attain their aims. We are informed that any real appreciation of the difficulties of the situation is confined to a small class, but it cannot be denied that the terms of the Turkish peace treaty have been used to cause a dangerously bitter feeling amongst the masses, and the religious enthusiasm exploited by unscrupulous agitators has in many places developed into fanatical hostility to the British Government. Thus, despite frequent and authoritative contradiction by the Government in the Legislative Assembly and outside, the lie that holy places ~~Government in the Legislative Assembly and outside, the lie that holy places~~ have been desecrated is still repeated. We cite below extracts from reports of speeches submitted to us.

(1) At Karachi a Hindu 'Ecclesiastical' supporter advised "sympathy with their Moslem brothers because the power that had caught hold of the Muslim holy places would not spare those of the Hindus."

(2) Or again, "The British had caused Hindu and Muhammadan brothers to fight and have thus made straight their own road. They had destroyed Mecca and Medina. Shots have even fallen on the prophet's remains. All Muhammadans who had fought against the Turks should be divorced."

(3) "Referring to the fight in Mecca he said that the SHARIF was the master of the place. There were only 30 or 35 Turkish soldiers. When the British Army reached Mecca they killed 3 of the Turkish soldiers who were found marketing. Two others, who took shelted in the KAABA (the holy temple) where not a tiger nor even a fly was allowed to be killed according to the religion, were slaughtered by the British soldiers. Moreover the holy carpet of the Kaaba which was prepared by the hands of the innocent little girls was burnt by the fire of the British Shells."

(4) The following Extracts refers to the Keri Murder case:-

"I am going to pronounce the order of God that if the slayer of a heathen is killed, he will certainly become a martyr. If he dies it is your duty to pray for him.

"One Englishman had died there; lakhs of Hindus and Mussalmans have been martyred there----

"If after lakhs of Mussalmans have been martyred in Smyrna, somebody has killed Christians, ~~Christians~~ Christians have retaliated entering Canstantinople. If he has committed the murder for the sake of religion and he is slain he will attain martyrdom. Heavens await him and the Houries are staînding (to welcome him) with cups in their hands."

7. It was, we were told by a frontier officer, statements of this kind, particularly relating to the defilement of holy places, which has created such bitterness and led to the Hajarat from Upper Sindh and Peshawar with such disastrous consequences. Instances of gross misrepresentation are numerous. Nor does it end here. Perhaps the most sinister feature in this campaign of calumny is the direct attempt to seduce the military and the police force from their allegiance. ~~(vendic)~~ Evidence has been adduced from of many specific instances of such attempts, which the military authorities regard as most mischievous. Speeches have also reported:-

(1) "Tell every Muhammadan clearly that it is his religious duty to avoid being recruited for the army. Do not give us a single soldier that he may behead his brother with his own hands."

(2) "Your religion is calling for help, but you do not lay down your life for God; you join the army or police on fourteen rupees a month. You say you are a Government servant. but you are God's servant.

8. We have also had placed before us reports of many speeches made by various leaders of the movement which can only be considered as direct incitements to disloyalty and internal disorder, as well as an encouragement to foreign invasion. The following are instances:-

(1) "If the Amir of Kabul dies not enslave India and does not want to subjugate the people of India who have never done any harm and who do not mean to do the slightest harm to the people of Afghanistan or elsehwere, but if he comes to fight against those who have always had an eye on his country, who wanted to subjugate his ~~peopl~~ ~~peo~~ people, who hold the Holy Places of Islam, who want to crush Islam in their hostile grip, who want to destroy the Muslim faith and who were bent on destroying the Khilafat then not only shall we not assist, but it will be our duty and the duty of every one who ~~calls~~ them-

selves selves a Mussalman to gird up his loins and fight the good fight of Islam."

(2) "When we have to kill all Englishmen we will not come stealthily, we will, that very day, declare openly that there is (war with) the sword between you and us now and it will be sheathed only when either your neck disappears or ours."

(3) "The object of my speaking so plainly is to assure you that in the question of KHILAFAT we have not gone an inch against the doctrines of Islam. In my religion, to die and to kill in the doctrines of Islam. In my religion to die and to kill in the cause of God are both good deeds."

(4) "He told his audience that their time had at last come. Everything was ready for Jehad and the signal was about to be given. He exhorted them to be bold and steadfast. The weapons of the British soldiers and sepoys could not harm them for he had the power to render them innocuous. This time there was little talk of non-co-operation. The business for the moment was war."

(5) "If you do not come forward, God shall raise another nation for Islam's defence. Those who wage the war of Jehad will not mind any remonstrances. ** ** ** ** Swaraj is a religious obligation with me. I am doing my work for the sake of the holy Kaaba, Medina and Qoran. It is better to be slaves of Muhammadans than of English. It is our duty to help the Amir if he comes to carry on Jehad. I am prepared to fight the battle of independence whether my Muhammadan brothers help me or not."

(6) In the next Congress in December, which is to be held at Ahmedabad, the Indian Mussalmans will ask the Congress to tear up their old creed, which is twelve months old, and take India out of the British Empire and hoist a tri-coloured flag of Indian independence with a spinning wheel in the centre and declare India a republic. This is our reply. This is our ultimatum. You have not given an ultimatim to the Turks, but we have given an ultimatum to you. There is peace between you and us for three months more. After three months there will be conflict. After conflict there will be peace. And the peace will be that you will go out of India. You wanted to turn out the Turks bag and baggage, ~~but we will find~~ but we will make you leave the bags and baggage here as it is ours."

Such quotations could be multiplied. After a careful perusal of these and other similar utterances we have no hesitation in holding that this form of propaganda is directly calculated when addressed to an impressionable and excitable audience to lead violence.

9. We endeavoured to ascertain the effect of this combined movement (the Non-co-operation and the Khilafat) on the student community, and have received valuable evidence from educational Authorities. The situation was at one time disquietening. Direct appeals were issued of which we give one example by a prominent leader of the Khilafat movement:-

"Those who read the newspapers know the part taken by the students in all countries in these days. The first example was set by the students of Russia at the time of revolution. They took great part therein and you know the result. In China also the students agitated and the courses of the ~~unitersityes~~ universities were changed according to their wishes. Look at the condition of Egypt

and the work done there by the students? They have agitated for the years and in the long run they have been successful in their revolution. Both boys and girls took px share in the revolution. Our only hope of spreading agitation is by means of the students who are always enthusiastic."

Our general impression is that the student community at large has not been permanently or seriously affected by such mischievous appeals, save in the way of sentimental sympathy for the non-co-operation movement and the personality of its leader. The 'national' institutions have obtained meagre support whether in the shape of funds or pupils. -Severa Several have now been closed. There was at first some response in the form of strikes, but the large majority of students returned. The result of the University Examinations, and the number of entries shew that there has been no appreciable falling off in the number of admissions or of candidates. It is noticeable that the affects varied in different institutions, which we attribute to the influence or lack of influence of the Principal and Professors. We are however convinced that as in the case of the public generally, so with the students there is less respect for authority than th there was before. Nor can we overlook the fact that there is a small residue of misguided boys who, by forsaking their studies, have not only imperilled their future career but would seem to have elected that of the professional agitator. We have dwelt upon this aspect of the situation in view of the unhappy activities of certain members of the students ~~xxxxxxx~~ community of Bengal ten years ago.

10. Taking into consideration all the evidence we have received, and the points to which we have adverted, and bearing in mind the still prevailing economic discontent, we cannot dismiss as improbable the danger of sudden sectarian agrarian or labour disorder on a large scale culminating in riots.

11. We may now in the light of this appreciation of the present political position examine the question of repealing or retaining the various Acts under consideration. Dealing with the older Acts first, we notice that they relate generally to a state of affairs which no longer exists. We regard it as undesirable that they should be used for any purpose not contemplated by their authors. The objections to them are obvious. Some as for example, Bengal Regulation 10 of 1804, or the Forfeiture Act of 1857, are inconsistent with modern ideas; others are clothed in somewhat archic language and are applicable only to circumstances which are unlikely to recur. Many arm the Executive with special powers which are not subject to revision by any judicial tribunal. Their presence on the Statute book is regarded as an offence by enlightened public opinion. The arguments for their retention are as follows. The use of the Bengal State Prisoners Regulation, 1818 (Regulation III of 1818) in Bengal was necessitated by the revolutionary movement which the ordinary law failed to check. The wholesale intimidation of witnesses rendered recourse to the ordinary courts ineffective. Though we have evidence of a change in the attitude of individual leaders of the anarchical movement in Bengal, we are warned that similar symptoms of intimidation have been noticed, and that, should there be a recrudescence of any revolutionary movement, it would, in the basence of these old preventive Regulations, be impossible to cope with the situation, and fresh emergency legislation would be necessary. Lastly, the plea is advanced the that these old Acts may be regarded as measures intermediate between the ordinary law of the land and martial law, the ultimate result in case of extreme order. The abolition of these special laws, it is suggested, may mean earlier recourse to Martial law than might otherwise be the case.

12. We recognise the force of these arguements, in particular the difficulty of seciring the evidence or of preventing the intimidation of witnesses. We also appreciate the fact that the use of the ordinary law may in some cases advertise the very evil which the trial is designed to punish. But we consider that in the modern conditions of India that risk must be run. It is undesirable that any Statutes should remain in force which are regarded with deep and genuine disapproval by a majority of the Members of the Legislatures. The harm created by the retention of arbitrary powers of imprisonment by the Executive may, as history has shewn, be greater even than the evil which such powers are directed to remedy. The retention of these Acts could in any case only be defended if it was proved that they were in present circumstances essential to the maintenance of law and order. As it has not been found necessary to resort in the past to these measures save in cases of grave emergency, we advocate their immediate repeal. In the event of a recurrence of any such emergency we think that the Government must rely on the Legislature to arm them with the weapons necessary to cope with the situation.

13. Our recommendation in regard to Regulation III of 1818 and the analoguous Regulations in the Bombay and Madras Presidencies is subject, however, to the following reservations. It has been pointed out to us that for the protection of the frontiers of India and the fulfilment of the responsibilities of the Government of India in relation to Indian States, there must be some enactment to arm the Executive with powers to restrict the movements and activities of certain persons who, though not coming within the scope of any Criminal Law, have to be put under some measure of restraint. Cases in point are exiles from Foreign or protected States who are liable to become the instigators or focus of intrigues against such States: persons disturbing the

tranquility of such States who cannot suitablẏy be tried in the Courts of the States concerned and may not be amended amenable to the jurisdiction of British courts: and persons tampering with the inflammable material on our frontiers. We are in fact satisfied of the continued necessity for providing for the original object of this Regulation in so far as it was expressly declared to be 'the due maintenance of the alliances formed by the British Government with Foreign powers, the preservation of tranquility in the territories of Native Princes entitled to its protection and the security of the British Dominions from foreign hostility," and only in so far as the inflammable frontier is concerned, from "internal commotion."

We desire to make it clear that the restrictions which we contemplate in this connection are not of a penal or even irksome character. We are satisfied that they have not been so, in cases of the kind referred to above in the past,. Indeed in several instances they have been imposed as much in the interests of the persons concerned as in the interests of the State. The only desideratum is ~~the persons concerned~~ to remove such persons from places where they are potential sources of trouble. Within such limits as may be necessary to achieve this object they would ordinarily enjoyful personal liberty and a freedom from any kind of stigma such as would be associated with restrictions imposed by Criminal Law. We therefore recommend the amendment of Regulation III of 1818 limiting its application to the objects outlined above.

The reservation may also involve the retention in a modified form of the State Prisoners Act of 1850 and 1850 and 1858, but this is a matter for legal experts. We have carefully considered the cases in which the Madras State Prisoners Regulation of 1819 has been used. The procedure adopted was certainly simpler and more effective, ~~xxx~~ but if the ordinary law is insufficient, we think it is for the Local Government to consider whether any amendment of the

of the Moplah Outrages Act XX of 1859 is needed.

14. Turning now to the more modern Acts, we notice that the Defence of India (Criminal Law Amendment) Act, 1915, will in the ordinary course of events shortly expire. It is, we understand, at present only used in order to give effect to the Government of India's policy in the matter of Colonial emigration. Section 16-B. of the Defence of India (consolidated) Rules, 1915, is at present employed to prevent the departure from India of unskilled labour, which does not come within the definiton of the 'emigration' given in Act XVII of 1908. We understand that a Bill to meet the cases of Indian Emigrants has already been introduced.

A special regulation may, we think, also be needed for the exclusion of the persons whose presence may endanger the peace and safety of the North West Frontier Province. We recommend that the Defence of India Act be repealed at once, as it was only intended to cope with difficulties arising from the war.

15. The Anarchical and Revolutionary Crimes Act, 1919, (popularly knwon as the "Rowlatt Act"), has never been used. Its enactment was extremely unpopular; it was to continue in force only for three years from the termination of the war. We consider that the retention of this Act is not necessary or advisable. The power to restrian personal liberty without trial conferred by this Act is not consistent with the policy inaugurated with the recent constitutional changes, and we therefore recommend its immediate repeal. It is however necessary to strike a note of warning. While we think that there has since 1918 been some improvement in the situation so far as the anarchical movement is concerned, we realise that strong measures may be needed for the suppression of any organized attempt at wide-spread disorder. We prefer, however to leave this contingency to be dealt with when and

and if it arises, rather than retain a statute which is regarded as a stigma on the good name of India.

16. There remain then two Acts , the Indian Criminal Law Amendment Act 1908, and the Prevention of Seditious Meetings Act, 1911. It is around those two acts that controversy has centred and regarding which we have been careful to obtain a full expression of opinion. These Acts also differ from those to which we have already referred in that, while the committee was setting, they were actually being used in the Punjab, Delhi and the United Provinces. The evidence of some of the witnesses goes to show, that their effect was beneficial and that their application was necessary to maintain public tranquility. It is affirmed that local officers responsible for the maintenance of peace and order would under existing conditions if these acts were repealed, find themselves in an impossible situation faced, it might be, with disorder on a large scale which they could not prevent. The application of these Acts moreover is subject to safeguards which ensure that sanction to their introduction is only granted after careful scrutiny of the necessity of such action. The Local Governments are unanimous in asking for the retention of the Seditious Meetings Act. Most of the Local Governments similarly affirm the need for retaining Part II of the Criminal Law Amendment Act, 1908. It is desirable therefore to examine most carefully the reasons for and against their repeal.

17. These Acts are first attacked by as being "unconstitutional," and, like the Act of 1919, inconsistent with the present policy of Government. In support of this view our attention has been directed to the law that obtains in England with regard to public meetings. The following dictum of Professor Dicey is quoted. "The Government has little or no

or no power of preventing meetings which to all appearance are lawful even though they may in fact turn out when actually convened to be unlawful because of the mode in which they are conducted." We would point out that the learned Professor is merely stating what are actually the principles underlying the law in England. He does not attempt to discuss their propriety, nor, we may add, their applicability to the highest authority in the State the very widest power to take their discretion, precautionary measures against the evils which may flow from the injudicious exercise of legal right." The learned author also points out that the right of public meeting is "certainly a SINGULAR instance of the way in which adherence to the principle that the proper function of the state is the punishment, not the prevention, of crimes deprives the Executive discretionary authority." Apart from the great difference in the class of audience which may be addressed, we recognise that while democracy and all the rights that it entails have been the result of gradual growth through the course of centuries in Great Britain, they are a recent introduction into India.

18. The next argument advanced for the repeal of these Acts is that they offend public sentiment and that their retention would be a direct incitement to further agitation. This argument is one to which we attach great weight, even though we recognize that the repeal of these would only appeal to a few. We realise that the wholesale repeal of the acts would do much to strengthen those who are anxious to assist Government and would be useful for the purposes of counter propaganda. We realise also that substantial support is necessary for Government to meet the non-co-operation movement, which is the greatest obstacle to the successful development of the reforms recently

introduced and to all political and industrial progress.

19. The real point, however, at issue is whether the ordinary law that would remain would provide sufficient means for coping with any existing or reasonably apprehended disorder. Evidence has been adduced to show that in certain places the ordinary law is inadequate and this evidence we are not prepared to reject.

This brings us to the third objection that the ordinary law alone should be applied to prevent the evil with which these two Acts are designed to cope. We have had long discussions as to the manner in which section 144 of the Criminal Prodedure Code has been recently applied. It is no part of our duty to express an opinion on any individual case in which this Section has been used or to enter into any legal argument. In the opinion of those best qualified to judge this Section cannot be used effectively when there is danger of widespread disorder. We also note the argument that Section 144 of the Criminal Procedure Code was not designed to prevent meetings over a large area; and that its use for such a purpose aroused probably as much resentment as the application of the Seditious Meetings Act. It is the only preventive section in the ordinary law. Section 108 A of the Criminal Procedure Code is only partially preventive. Sections 120 A and B, 124 A, and 153 A of the Indian Penal Code are punitive. Further, even if satisfacto dence is available, these sections can be used only individuals and not to prevent seditious meetings or We consider it probable that if in those areas to which Seditious Meetings Act has recently been applied, no preventive action other than that possible under section 144 of the Criminal Procedure Code, had been taken, the dangers of disorder would have been appreciably increased, and the number of prosecutions under these punitive sections woul have been larger, which might have had the effect of exaspe

rating public opinion. We would point out that in some cases referred to in Appendix B, the riot was directly connected with such a prosecution.

20. A fourth argument is based on the recent ~~dix~~ finding s of the Committee appointed to examine the Press Act. It is unnecessary for our purpose to discuss whether the written or the spoken word commands the greater circulation. We agree with that Committee that "the more direct and violent forms of sedition are now disseminated more from the platform and through the agency of itinerary propagandists than by the Press." The prosecution of a paper is moreover much simpler than the prosecution of a speaker, attended as the latter is by difficulties of obtaining an accurate report of the speech delivered. We think that the instances we have given above are sufficient illustration of the danger of allowing violent and inflamable speeches. Though the speaker can be prosecuted, the mischief may have been done. Of this there have been lamentable illustrations.

21. Fifthly, it is argued that the Seditious meetings Act of 1911 not only stifles noxious speeches at public meetings but also deters people who might assist in counter propaganda. Cases have been quoted of persons otherwise well disposed to Government who declined "to ask for leave to hold a meeting or make a speech." We recognise that this is a necessary and undesirable result of the application of the Seditious Meetings Act. It is, however, a lesser evil than allowing speeches to be made which result in such disorder as would equally prevent any exponent of opposite views from obtaining a hearing. Such intimation is, we learn, by no means uncommon.

22. In this connection, since we regard it as important that every opportuntiy should be given to the electorate of hearing both sides of a question, we recommend, before the next general election, the introduction of a Bill on the lines of the Disorderly Public Meetings Act, of 1908 (8, VII), ~~which makes a disturbance at a public meeting an offence~~

which makes a disturbance at a public meeting an offence, and provide adequate facilities and security for such reporters as the District Magistrate may wish to depute. We recommend that, when the Seditious Meetings Act is repealed, the District Magistrate should be empowered, by law, with the consent of the Local Government, to demand in any area of his district, notified in this behalf that notice be given to him of the intention to hold a public meeting, so that he may be able to make proper arrangements for obtaining a report of the proceedings. This, we may observe, is entirely different from demanding that a person should obtain leave to hold a meeting.

23. Finally, it is pointed out that, in the last resort, should the ordinary law prove insufficient recourse can be had to legislation by Ordinance. We would deprecate any suggestion that the exercise of the extra-ordinary powers of the Governor General should be regardes as an appropriate method of legislation save in abnormal circumstances. These powers should, we think, be reserved for exceptional or sudden emergencies. To regard them as in any way the normal method of legislation implies a distrust of the Legislative Assembly and Council of State to which we would be sorry to subscribe In fact, the most potent argument advanced in favour of the repeal of these two Acts is that such repeal would be an illuminating object lesson in the value of constitutional reforms. "Trust your Legislators", we are told, "confidence will beget confidence. If you need exceptional powers, prove your necessity and the Legislatures will grant them." We accept this principle. We have adopted it to the utmost limit consistent with safety in advising the repeal of the enactment to which reference has been made. But we feel that we should not, under present conditions, be justified in advising the immediate repeal of these two Acts. We may also point that their provisions are not of a drastic character. In

this connection we may quote from the speech of the Late Hon'ble Mr. Gokhale on the Seditious Meetings Bill: "I will freely admit that from the standpoint of Government it could not introduced a milder measure than this. The more objectionable features of the Act of 1907 have been removed, and if when the need arises, the law is applied with reasonable care and caution, it is not likely to produce any serious hardship......If the need of the Government is urgent and immediate, then of course all ordinary considerations must be put aside, and very loyal citizen must range himself on the side of the Government in sanctioning and enforcing the measures that are thought to be indispensable. In a state of actual disturbance, in a stage of dangerous activity on the part of elements hostile to the very existance of the Government, I can understand the Government calling on all loyal citizens to rally round it in this manner". Though seldom applied, these two enactments have recently in the present situation been found necessary for the preservation of law and order. Further an obvious objection to a more complete acceptance of this principle is that in allowing proof of the necessity for legislation to accumulate, even stronger measures than those now under consideration might eventually be required for the supression of disorder. By the time public opinion had become sufficiently alarmed to demand or approve legislative action, the damage might be irretrievable.

24. As regards the Indian Criminal Law Amendment Act, 1908 it has been suggested that sections of the Indian Penal Code are sufficient to cope with any situation that is now likely to arise. It is generally accepted that Part I of this Act has failed to achieve in Bengal the purpose for which it was designed. As regards Part II, the conspiracy sections of the Indian Penal Code might meet the case if, but only if, evidence forthcoming. It was in no small measure the

impossibility of obtaining evidence owing to the intimidation of witnesses that led to this enactment. As we have already seen, there is definite evidence of certain organisations encouraging acts of violence or resorting to intimidation. Recently in Delhi it has been necessary to declare certain Associations of Volunteers unlawful under Section 16 of this Act. We have carefully examined the circumstances which led to this Action. The volunteer movement began with 'social Service,' but the adherents soon developed a definite tendency to interfere with the duties of the Police and the liberty of the Public. They then gax began to intimidate and terrorise the general body of the population. There was a tendency towards hooliganism. It has been proved that some of these Associations resorted to violence, that their behaviour at Railway Stations and public meetings was objectionable and rowdy, that they obstructed the funeral of an honoured citizen and held a most undesirable demonstration at the house of another. They actively interfered with the elections by threats and picketing. There was every reason to believe that their activities, if left unchecked, would lead to serious disorder. The conclusion we have arrived at is that some of these volunteer Associatiosn in Delhi were seditious organisations, formed for the purpose of intimidating loyal citizens, and interfering illegally with the administration of the province. The result of the action taken by Government has been we were told, to "destroy the worst features of volunteer activity in so far as it was synonymous with rowdism in the city of Delhi." We have received information of a possible recrudescence of secret associations in another part of India. It has also been stated in evidence that Bolshevik emissaries have entered India and we cannot overlook the possibility of illegal associations promoted by them terrorising the population, and engaging in a compaign of Crime and terrorism. Actually part II of this Act has been

has been sparingly used. Its object is not only to break down existing unlawful associations, but to deter young and comparatively guiltless persons from joining these bodies and to discourage the supply of pecuniary assistance. We regret that we cannot at this juncture recommend the immediate repeal of Part II of this Act. There are too evident indications that its application might be necessary to prevent the formation of secret societies. It must be remembered that there is no legislation in India "for the prohibition of drilling and military training without lawful authority" on the lines of the English Statute (60Geo.III).

25. Our recommendation follows that made by the Bihar and Orissa Government: "Subject, however, to the reservations temporarily made in favour of the Seditious Meetings Act and Part II of the Criminal Law Amendment Act, which cannot be abandoned until the present tension created by the non-co-operation movement has been relieved by the action of its leading promoters, His Exdellency in Council desires again to emphasise the importance of removing from the Statute Book as far as possible all special laws of this character, so that the Government of India under the reformed constitution may proceed with a clean slate. At the time, however, His Excellency in Council is conscious that in the future the need for special powers may again arise."

In view of the grave situation which exists and which may become more serious, we also think that it would be prudent to defer actual repeal of these Acts until such time as the situation improves. Many of us hope that it may be possible for the Government to undertake the necessary legislation during the Delhi session. We can make no definite recommendation on this point at present. We trust that the repeal of these Acts may be expedited by a healthy change in the Political situation. The duration of retention rests in other hands than ours.

26. To this endeavour to adjust the conflicting claims of political considerations and administrative necessity we have applied to principles on which the Constitutional Reforms are based. The problem before us is, we consider, a test case of the "co-operation received from those upon whom new opportunities of service will thus be conferred and the extent to which it is found that confidence can be reposed in their sense of responsibility." We recognise our responsibility in the maintenance of peace and order. We are prepared to trust both the Provincial councils and the Imperial Legislatures for such supports as may be necessary. We believe that the Executive will use any exceptional powers with the utmost caution and restraint. Their section action may always be challenged in the local legislatures. Lastly, we desire also to take into account the difficulties which at the present time confront local officers. Evidence before us shows that the Magistrates and the Police have on many occasions been sorely tried, and we wish to record our appreciation of their loyalty in very difficult positions. Animated by these ideas, we therefor recommend the repeal of ~~the Prevention of Seditious Meet~~ all the ~~Statue~~ Statutes included in the terms of reference to this Committee, with a reservation as to Bengal Regulation III of 1818 and the corresponding Regulations of the Madras and Bombay Presidencies, but we advise that the repeal of the Prevention of Seditious Meetings Act, 1911, and Part II of the Indian Criminal Law Amendment Act 1908, should be deferred for the present. Their retention is necessary in view of recent occurrences and possible developments, which we cannot but regard with the gravest apprehension.

TEJ BAHADUR SAPRU .. CHAIRMAN

W.H. VINCENT,
P.S.SIVASWAMY IYER,
J. CHAUDHURI,
E.L.L. HAMMOND,
G.M. GHURGRI, .. MEMBERS.
N.M. SAMARATH,
H.S. GOUR,
SHAHAB-UD-DIN.

Dated the 2nd September 1921.

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APPENDIX B.

Notable instances of Disorder during the year 1921.

No.	Date	Disorder.
1.	7th January 1921 ..	Agrarian disturbances in Rai Bareilly and Fyzabad Districts accompanied by extensive looting.
2.	24th January 1921 ..	District Rai Bareilly. Police party besieged in a house after one of their number was killed.
3.	26th January 1921 ..	Serious riot at Tarn Taran.
4.	7th Febraury 1921 ..	Strike at the East Indian Railway Colliery Giridhi, District Hazaribagh, Bihar and Orissa.
5.	10th Febraury 1921 ..	Strike on the Oudh and Rohilkhand Railway Punjab Mail stoned and Magistrate assaulted
6.	18th Febraury 1921 ..	Riot in Kalighat section of Calcutta Tramway by strikers.
7.	18th Febraury 1921 ..	District Saran, Bihar and Orissa. Police while investigating complaint against locally self-constituted panchayat were assaulted.
8.	19th--20th Febraury 1921..	Nankana Sahib affair in Punjab.
9.	21st--25th Febraury 1921..	Disturbances at Nagpur arising out of temperance campaign of non-co-operators.

73 143.

No.	Date	Disorder.
10.	March 1921 ..	Strike accompanied by rioting at Lillooah workshops.
11.	~~21st~~ March 1921 ..	Hartal at Karachi accompanied by violence of Mob.
12.	21st March 1921 ..	Halem Tea Estate, Assam. Strike by tea garden labourers who assaulted officials of tea garden.
13.	24th ~~April~~ March 1921 ..	Outbreak in Rajshahi Jail in Bengal.
14.	3rd April 1921 ..	Riots at Kumbakonam due to labour Strike.
15.	6th April 1921 ..	Riot at Kamalai, Montgomery District, Punjab, owing to dispute over Prem Sati Gurdwara.
16.	15th April 1921 ..	Ghusuri Jute Mill, Bengal. Riot accompanied by violence; manager seriously injured.
17.	19th April 1921 ..	Riot at Shikarpur, Bombay, when non-co-operators, in terfered with yearly meeting of Pritman Dharma Sabha.
18.	25th April 1921 ..	Owing to trial of a non-co-operation volunteer, 10,000 people at Giridhi, District Hazaribagh, endeavoured to storm sub-jail, looted police station and burnt records.
19.	25th April 1921 ..	Disturbances at Malegaon, Bombay, arising out of trial of Khilafat Volunteers. Sub-Inspector of Police and four constables killed.
20.	26th April 1921 ..	Disturbance at Ottapalam, Madras; fight between Reserve Police and Khilafat volunteers.
21.	May 1921 ..	S.D.O., Sitamarhi, (District Muzaffarpur, Bihar and Orissa), compelled to leave Mela; public intimidation.
22.	11th May 1921 ..	Riot in Kanchrapara workshops, Eastern Bengal State Railway. Several thousands took part in riot caused by strikers of Eastern Bengal State Railway Workshops, Kanchrapara.
23.	16th May 1921 ..	Riot accompanied with violence occured at Kaloj valley Tea Estate, Darjeeling District.
24.	19th--20th May 1921..	Trouble at Chandpur in connection with tea garden labourers leaving Assam.
25.	22nd May 1921 ..	Serious affray in Mahagaon, District Allahabad.
26.	26th June 1921 ..	Disturbance at Tata Mills Limited, Dadar, Bombay.

No.	Date		Disorder.
27.	1st July 1921	..	Riots at Dharwar, Bombay, arising from Liquor shop picketing.
28.	July 1921	..	Strikes in Buckingham and Carnatic Mills, Madras, began, accompanied by wide-spread arson.
29.	5th July 1921	..	Riot at Adigarh arising out of trial of non-co-operators.
30.	13th July 1921	..	Serious riot at Bariha Village, District Lucknow.
31.	July 1921	..	Disturbances and disorders occurred in Bengal, both in Calcutta and at Chittagong, during trial of non-co-operators.
32.	21st July 1921	..	Disturbances at Matiari arising out of interference by non-co-operators with an Aman Sabha meeting.
33.	July 1921	..	Picketing of liquor shops at Karachi caused cases of obstruction and assault; one leading agitator rescued by crowd from Police; when convicted mob threw stones at Police and passers-by; various Europeans and Indians were hurt.
34.	1st August 1921	..	Riot at Jamalpur workshops of the East Indian Railway resulting from hartal.

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75 (74)

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EXTRACTS FROM THE GOS RELATING TO NCC & Khilafat Movement 1920-25 Prosecution

IN THE MADRAS PRESIDENCY. (Prosecution) - 1921

Abstract of the G.O.

(Prosecution of Subramania Siva - Ordered).

REFERENCE: G.O.No.687 (Confidential) dated 12-10-1921Public Department.

The Government of Madras ordered the prosecution of Subrahmania Siva for his seditious speech at Madura on 19-8-1921.

EXTRACTS FROM THE GOS RELATING TO N.C.O. & Khilafat Movement 1920-25 Reaction

IN THE MADRAS PRESIDENCY. (Prosecution) 1921

Abstract of the G.O.

(Prosecution of P. Varadarajulu Naidu - Ordered).

REFERENCE: G.O.No.692 (Confidential) dated 13-10-1921 Public Department.

P. Varadarajulu Naidu was ordered to be prosecuted on 3rd September 1921 for an article published in the Tamil Nadu dated 12th June 1921.

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EXTRACTS FROM THE GOS RELATING TO M.C.S. & Khilafat Movement 1920 Reaction (Prosecution) 1921

In the Madras Presidency.

ABSTRACT OF THE GO.

(Prosecution of Assan Koya Malla - Ordered).

REFERENCE: G.O·No.699 (Confidential) dated13-10-1921.

Public department.

Assan Koya Molla, the local Khilafat Secretary, Calicut was ordered to be prosecuted for having assisted in the distribution of the pamphlet.

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EXTRACTS FROM THE GOS RELATING TO N C 52 Khilafat Movement 1920-25

IN THE MADRAS PRESIDENCY.

Prosecution 1921

Abstract of the G.O.

(Prosecution of Abdul Majid Sharar - Ordered)

REFERENCE : G.O.No.693 (Confidential) dated 13-10-1921:Public Department.

The Government of Madras Sanctioned on 13th October 1921 the prosecution of Abdul Majid Sharar of Madras in respect of a speech delivered by him ø as a President Khilafat Conference at Tanjore on the 28th August 1921.

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EXTRACTS FROM THE GOS RELATING TO N.C.S. & Khilafat Movement 1920-25 Reaction (Prosecutions) -1921

IN THE MADRAS PRESIDENCY.

Abstract of the G.O.

(Prosecution of Yakub Hasan - Ordered).

REFERENCE: G.O.No.686, (Confidential) dated 12.10.1921
Public Department.

The prosecution of Janab Yakub Hasan on a charge of sedition was ordered on 12-10-1921.

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(79) 157

Non-Co-operation and Khilafat Movement (1920-25) -

EXTRACTS FROM THE G.OS. RELATINGT TO

Reaction (Prosecutions) (1921)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O. 80

Sedition - Moulana Sahib, Madura - Section 124 A, Indian Penal Code - Prosecution sanctioned.

REFERENCE:-G.O.No. 859(Confidential)dated 6-12-1921, Pub.(Mis.)Dpet.

In modification of G.O. 617 Public dated 19th September 1921, The Governor in Council hereby sanctions, under the provisions of section 196, C.P.C. the prosecution of Moulana Sahib, son of Muhammadx Husmadin Sahib of Madura Town under Section 124 A, Indian Penal Code in respect of speeches delivered by him at Tanjore on the 24th and 28th August 1921 and containing certain passages an English translation of which is given below:-

The Indians have been reduced to an indescribable position and are treated like beasts and dogs and worms and have no liberty at all . . . . There is a great disturbance in Malabar and its cause is not ourselves but the authorities - those iniquitous persons who, for the purpose of demonstrating their power have brought about the present situation x x x x x x x x x If we now look at what Mr. Thomas has done in Malabar, it appears that they want to excite those of us who are quiet and excite xxxxxxxxxxxxxx xxxx us to fight. They have killed 400 persons telling them that they would not be arrested and making them sit in front of the cutchery and shooting them as soon as the Military Reserves turned up; How can such Government last any time . . . . . If we are shot, England will have mud thrown into her mouth. . . . . . . The word Sharar means sparks of fire and that these sparks will experminate the Englishmen and the Greeks and destroy their kingdoms . . . . . . There is no doubt that your England will be destroyed by these sparks.

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81 (80) 159

EXTRACTS FROM THE GOS RELATING TO. N.C.S. & Khilafat Movement 1920-25 Reaction (Prosecutions) 1922

IN THE MADRAS PRESIDENCY.

Abstract of the G.O.

(Khazi Abdur Rahman - Prosecuted - Sentence passed)

REFERENCE: G.O.No.1 (Confidential) dated 2-1-1922 dapublic Department.

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Khazi Abdur Rahman of Madras was prosecuted for having written a seditious letter to the Police officers in Cuddapah asking them to resign their post to embarass the Government. He was tried and convicted for the charge. He was sentenced to one year's rigorous imprisonment.

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EXTRACTS FROM THE G.OS. RELATING TO Non-Co-operation & Khilafat Movement. Reaction (1920 to 1925.

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O. (Reaction of the Govt. 1922)

(Non-co-operation Newspapers - Official advertisements - withheld.)

REFERENCE:- G.O.No.4(Confidential)dated 6-1-1922,Public Dept.

The Government of Madras passed an order withholding all official advertisements from newspapers which definitely advocated non-co-operation.

EXTRACTS FROM THE GOS RELATING TO

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

(Prosecution of Sri RamaKrishna Iyer of Krishnajuri - Sanctioned)

REFERENCE: G.O.No.79 (Confidential) dated 27-1-1922. Public dept.

The Government of Madras sanctioned the prosecution of Sri Ramakrishna Iyer of Krishnajuri on a Charge of sedition under section 124-A and 153-A., I.P.C.

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84 (83) 185

EXTRACTS FROM THE GOS RELATING TO N.C.S.2 Khilafat Movement Readiness 1920-35

IN THE MADRAS PRESIDENCY.

Prosecutions - 1922.

Abstract of the G.O.

(Prosecution of Nataraja Pillai - Sanctioned).

REFERENCE: G.O.No.80(Confidentiaal) dated 27-1-1922.Public department.

The Government of Madras Sanctioned the prosecution of Nataraja Pillai of Tanjore under section 124-A and 153-A I.P.C. in respect of a seditious speeche delivered by him at Madura on the 25th December 1921.

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EXTRACTS FROM THE G.OS. RELATING TO N.C.O. & Khilafat Movement Reaction 1920-25

IN THE MADRAS PRESIDENCY. (Prosecution) 1922/67

ABSTRACT OF THE G.O.

Sedition - Statistics of prosecution - Reported to Government.

REFERENCE:-G.O.No. 113(Confi) dated 7-2-1922, Public Dept.

The following statement shows the number of prosecutions and proceedings instituted in the Madras province, during 1921 for seditious utterances and other offences arising out of the Khilafat agitation and non-co-operation movement.

(84)

INCLUDES CASES UNDER 144 AND NON-PAYMENT OF TAXES.

Districts.	No. of prosecutions and proceedings instituted.	Number decided.	Number in which convictions were obtained	No. pending.	Remarks.
Arcot, North.	7	7	6	-	Excludes one discharged on the submission of apology.
Arcot, South.	35	6	6	29	
Chingleput	-	-	-	-	
Coimbatore	1	1	1	-	
Madras (Commr. of Police)	0	-	-	-	An order under section 144 obeyed no. of persons not known.
Madura	3*	3	1	-	
Nilgiris	-	-	-	-	
Ramnad	-	-	-	-	
Salem	147	41	26	106	
Tanjore	38	23	22	15	
Tinnevelly	-	-	-	-	
Trichinopoly	17	10	6	7	Some more figures to follow.
T[otal]	248	91	68	151	

*Excludes a case of rioting against a number of persons. Reply not yet recd.

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85 (84)

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EXCLUDES CASES UNDER 144 AND NONPAYMENT OF TAXES.

Districts.	No. of prosecutions and proceedings instituted.	Number decided.	No. in which conviction were obtained.	Number pending.	Remarks.
Arcot North.	7	7	6*	-	*Excludes one Discharged on the submission of apology.
Arcot South.	35	6	6	29	
Chingleput.	-	-	-	-	
Coimbatore.	1	1	1	~~-~~	
Madras.	-	-	-	-	
Madura.	10	3	1	7	
Nilgiris.	-	-	-	-	
Ramnad.	-	-	-	-	
Salem.	147	41	26	106	
Tanjore.	38	23	23	15	
Tinnevelly.	-	-	-	-	
Trichinopoly.	18	10	6	8	
Total.	256	~~51~~ 91	69	165.	

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87 (86) 171

EXTRACTS FROM THE G.OS. RELATING TO N.C.O and Khilafat movement

Reaction (N.C.O and Gt servants - policy

IN THE MADRAS PRESIDNECY.

ABSTRACT OF THE G.O.

Government Service - Applicants concerned with non-co-operation movement not to be employed.

REFERENCE:-G.O.No. 127 (Con) dated 13-2-1922., Public Dept,

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

G.O.No. 127, 13th February 1922.

Appointments.

Government Service - Applicants concerned with non-co-operation movement not to be employed.

Order- No. 127, Public dated 13th February 1922.

The Government direct that in future no application for employment in Government Service shall be entertained unless the applicant satisfies the appointing authority that he has no concern, direct or indirect, with the non-co-operation movement.

(By order of the Governor in Council)

R.A.Graham,
Acting Chief Secretary.

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EXTRACTS FROM THE G.OS. RELATING TO N.C.O.2 Khilafat Movement 1920-'25 Reaction (Repression) IN THE MADRAS PRESIDENCY. Reaction of the govt. 1922

ABSTRACT OF THE G.O.

173

Criminal Procedure Code - Security Proceedings - Under Section 107 - Powers of detention - Instructions issued.

REFERENCE:-G.O.No. 228(Confideitnal)dated 13-3-1922, Public (Mis)Dept

URGENT.

PUBLIC DEPARTMENT

CONFIDENTIAL

SUBJECT.

Section 107 C.P.C. - Salem Sessions Judge's order - grant of bail - Motion before this court to set aside.

From

F.W.R.Robertson Esquire, I.C.S.,

District Magistrate of Salem.

To

The Chief Secretary to the Government of Madras,

Public Department, M a d r a s.

Sir,

I have the honour to submit the following for the urgent consideration of Government.

2. There was much turmoil and disorder in Salem Town between the 6th and 10th instants in connection with the movement against the toddy-shops and there is still the possibility of trouble. This movement has been organised by certain persons against whom action under section 107 Cr.P.C. has been instituted before the Sub-Divisional Magistrate, Salem. In pursuance of the action the Sub-Divisional Magistrate issued a warrant for the arrest of one Kaliyamperumal Nayakkan. The latter appeared a before the Sub-Divisional Magistrate on 12-1-22 and applied for bail. This however was refused on the ground that it was dangerous for the peace of the town that he should be at liberty and he was accordingly remanded to custody. A copy of the Sub-Divisional Magistrate's order is appended. His pleader however at once moved the Sessions Judge to release the warrantee on bail.

A copy of the order is appended.

The whole question of the interpretation to be put on sections 107,114,344 and 496 Cr.P.C. in connection with the remand to custody of persons from whom it is necessary to take security for keeping the peace seems to need urgent revision. If the view of the law adopted by the learned Sessions Judge is to prevail the Police and the Magistracy responsible for the peace of the locality will, whereever anyone is decided to be acted against under section 107 C.P.C., be unable to do anything (unless he refuses to give bail) until the final order under section 118 Cr.P.C. is passed but will have to look on perhaps for several weeks while the culprit is doing vigorously the very things which it is essential should be stopped at once in the interests of peace and quietness. And the absurdity of the whole situation is manifest in that if the proceedings should be initiated before the Stationary Sub-Magistrate who having no jurisdiction sends the case on to the Sub-Divisional Magistrate, then the Sub-Divisional Magistrate acting under section 107(4) can detain the warrantee in custody.

I am therefore very strongly of opinion that the whole matter needs thrashing out before the High Court at a very early date, and I would therefore request that the Public Prosecutor, Madras may be requested to consider the whole question in consultation with the Public Prosecutor, Salem (who is conversant with all the facts and arguments) and to move the High Court urgently to set aside the Sessions Judge's order referred to above.

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IN THE HIGH COURT OF JUDICATURE AT MADRAS.

WEDNESDAY THE EIGTH DAY OF FEBRUARY.

ONE THOUSAND NINE HUNDRED AND TWENTY TWO,

PRESENT:-

The Honourable Mr. Justice Ayling,

and

The Honourable Mr. Justice Krishnan.

Criminal Miscellaneous Petition No. 63 of 1922.

The Public Prosecutor Madras. ------------------------ Petitioner.

Kaliaperumal Naicker------------------Respondent-------(2nd accused)

Petition praying that in the circumstances stated therein the High Court will be pleased to set aside the order of the Court of Sessions, Salem Division, in Criminal Miscellaneous, Petition No. 1 of 1922 and issue an order remanding the accused, to custody.

This petition coming on for hearing upon perusing the petition and the ordeer of the Lower Court and upon hearing the arguments of the Public prosecutor and of Mr. C.S.Venkatachariar, vakil for the Respondent the court made the following order:-

The view taken by the sessions Judge is correct, Vide, Raghunadhan Pershad -v- Emperor, I.L.R. 32 Calcutta 80, and Chdambaram Pillai -v- Emperor I.L.R. 31 Madras 315. It may be anomalous that the power of detention conferred by section 107 (4) Criminal Procedure Code should be limited to cases in which the accused person is sent under sub section (3) by a magistrate not empowered to proceed under sub section (1) but the meaning of the section as it stands is clear and must be given effect to.

The petition is dismissed.

(Sd) Mir Amiruddin,
Ag. Deputy Registrary.
App. Side.

/True Copy/

-179.

confidential

GOVERNMENT OF MADRAS.

Received . . . . 1922. Registered . . . 1922.

Abstract.

Criminal Procedure Code - Security Proceedings - Under Section 107 - Powers of detention - Instructions issued.

Public Department.

G.O.No. 228, Public, dated 13th March 1922.

Read the following:-

From the District Magistrate, Salem, NO, A., dated the 13th January 1922.

O R D E R:-

Ax copy of the order of the High Court in Criminal Miscellaneous Petition No. 63 of 1922 is forwarded to the District Magistrate, Salem with reference to his letter No.A., dated 13th January 1922.

2. The District Magistrate will observe that the High Court, following previous rulings, has laid down that the power of detention conferred by Section 107(4) of the Code of Criminal Procedure is limited to cases in which the accused person is sent under Sub-Section (3) by a magistrate not empowered to proceed under Sub-Section (1). The Government would point out that the difficulty would not have arisen in the case under reference if the Sub-Divisional Magistrate before whom the person to be proceeded against appeared voluntarily had taken up the proceedings on the spot. This was the obvious way to deal with a person whose liberty was incompatibel with the peace of the town.

(By Order of the Governor In Council)

(Sd) for Chief Secretary.

To the District Magistrate, Salem.
Copy to the Chief Presidency Magistrate,
Copy to all other District Magistrates.

EXTRACTS FROM THE GOS RELATING TO N.C.C.D.-Khilafat Movement 1920-25

IN THE MADRAS PRESIDENCY.

Abstract of the G.O.

(Prosecution of Abdul Wahab Sahib - Sanctioned)

G.O.NO.234(Confidential) dated 15-3-1922:Public Department.

The Government of Madras Sanctioned the prosecution of Wahab Sahib for the speech delivered by him at Trichinopoly on 27th January 1922.

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93 (92)

EXTRACTS FROM THE GOS RELATING TO N.C. 58 Khilafat Movement
Read. DN (Prosecution) 1920-25

IN THE MADRAS PRESIDENCY.

Abstract of the G.O. Prosecution '22

(Prosecution of Abdul Aziz - Sanctioned)

REFERENCE: G.O.NO.242 (Confidential) dated 15-3-1922 Public Department.

The Government of Madras sanctioned the prosecution of Abdul Aziz for the speech delivered by him at Ambur on 24th Febraury 1922.

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94 (93) 185

EXTRACTS FROM THE GOS RELATING TO N.C.S & Khilafat Movement Reaction (Prosecution) 1920-25

IN THE MADRAS PRESIDENCY. Prosecution - '22.

ABSTRACT OF THE G.O.

(Prosecution of N.Narayana Iyer ~~of~~ - Prosecution - Sanction of)

REFERENCE: G.O.No.376 (Confidential) dated 3-5-1922 Public dept.

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The Government of Madras has sanctioned the prosecution of N. Narayana Iyer of Madura under sections 124-A and 153-A of the I.P.C. In respect of a speech delivered by him on March 29th, 1922.

95

EXTRACTS FROM THE GOS RELATION TO

IN THE MADRAS PRESIDENCY.

Abstract of the G.O.

(Prosecution of Abdus Samad - Sanctioned)

REFERENCE: G.O.No.406 (Confidential) dated 10-5-1922, Public Department.

The Government of Madras Sanctioned the prosecution of Abdus Samad of Lucknow under section 124-A 153-A I.P.C. for the two speeches delivered by him at ~~Yavi~~ Vinaiambadi.

EXTRACTS FROM THE GOS RELATING TO N.C.C. & Khilafat Movement Reactions of the Govt 1920-25.

In the Madras Presidency.

Prosecution 1922 / 89

Abstract of the G.O.

(Prosecution of Lalgudi Mohamed Sulaiman Gulam Ahamed - Sanctioned)

REFERENCE: G.O.No.481 (Confidential) dated 2-6-1922 Public Dept.

The Government of Madras sanctioned the prosecution of Lalgudi Mohammed Sulaiman Gulam Ahmed, the editor of "Qaumi Report" in respect of certain articles which were published in the issues of that paper, of the 25th and 26th January 1922 under the heading "Malabar atrocities" The editor tendered apologies for having published the said article. The Government thereupon withdrew the prosecution against him.

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EXTRACTS FROM THE G.OS. RELATING TO N.C.O & Khilafat Movement 1920-25 Reaction (Police atrocities)

IN THE MADRAS PRESIDENCY. Police atrocities 1922.

ABSTRACT OF THE G.O.

Looting Perintalmanna - question - Answered the Government.

REFERENCE:-G.O.No. 503(Confidential)dated 14-6-1922, Public Dept.

Legislative Council Office,

3rd January 1922.

Khan Sahib Saiyid Diwan Abdul- Razzaq Sahib.

The Judicial Department.

Question No. 1341. Will the Hon'ble the Home Member be pleased to state:-

(1) whether the attention of the Government has been drawn to a statement given by head constable Kutti Krishnapanikar, a prosecution witness in the Perintalmanna looting case now going on before the special tribunal at Calicut that the house of the 1st accused Parambot Achuthan Kutti Menon at Perintalmanna was looted by the military (Vide "The Daily Express) of Monday 12th December 1921 - Evening issue - page 9)

(2) whether the Government will kindly ascertain if the looting was a fact, and, if so, state the circumstances, under which the looting was done;

(3) whether the Government will

(a) enquire if the military, before they entered the house, were satisfied that the house belonged to the accused,

(b) whether any police or revenue officiers or any other respectable non-officials accompanied the military.

(c) whether any list of articles removed from the house is maintained,

(d) whether any of the articles removed are still kept in the taluk office at Perintalmanna, and if so the object with which they are kept there

(4) whether the Government will ascertain whether any of the articles removed from the house were given as presents to the school boys at sports meeting of the high school at Perintalmanna;

98 (97) 193

(5) whether the Government will enquire whether any petitions have been received by the Collector of Malabar, the Commanding Officer, the Civil officer, and the Commissioner, from the real owner of the house, Parambot Nanikutti Amma, and her children, protesting against the looting of their house, and, if so whether they made any enquiries and what replies were given by them: and

(6) whether the Government will ascertain if the house is still in the custody of the authorities?

Answer.

If the Hon'ble Member will lay before the Government the information on which the various allegations contained in his question are based, they will consider whether an enquiry is called for.

(By order)

Under Secretary.

Fort St. George,
1st March 1922.

Extracts from G.Os relating to NCO and Khilafat movts in the Madras Presidency - Events - conviction - 1922 (1921-22) Reaction

19 (M.G.K.)

99 (98) 195

G.O. No.526, Dt. 21.6.1922: Public.

Sub: Legislative Assembly Question: Picketing of liquor shops - number of persons convicted.

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The following is the question put by Diwan Bahadur M. Ramachandra Rao Pantulu.

(a) the number of persons convicted in each District after the 1st April 1920 upto 1st Febraury 1922 and sentenced to imprisonment for picketing liquor shops.

(b) how many of these persons have been convicted for violent or disorderly conduct or intimidation.

The following [is] the answer of the Government:-

251 persons had been sentenced to imprisonment for picketing liquor shops and of these 165 were convicted for violent or disorderly conduct or intimidation in various districts:

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EXTRACTS FROM THE GOS RELATING TO

IN THE MADRAS PRESIDENCY.

Abstract of the G.O.

(Non-co-operation Movement - Convictions - List of Advocates - Details.)

REFERENCE: G.O.No.616, (Confidential) dated 26-7-1922, public Department.

Government of Madras asked all District Magistrates and the Commissioner of Police, Madras to furnish Government with the names and full particulars of any vakils residing in their jurisdiction who had been convicted of sedition or required to furnish security under section 108 C.P.C. The following is the list of Vakils etc., convicted in the Madras Presidency for various terms of imprisonment for failure to furnish security demanded.

District	Name	Sentence
1. Vizagapatam	Vasanta Rao Butchi Sundara Rao	Simple imprisonment for 6 months
2. Malabar	K.Madhavan Nair U.Gopala Menon M.P.Narayana Menon	6 months simple imprisonment
3. Salem	C.Rajagopalachari	Under Section 144 I.P.(
4. North Arcot	M.V.Subrahmania Sastri	Under Section 144 I.P.
5. W.Godavari	Venneti Satyanarayana Jeshula Ramachandra Rao	One year Rigorous Imprisonment.
6. East Godavari	Bulusu Sambamurthi Kesavarapu Kamaraju	One year Rigorous imprisonment
	K.V.R.Swami	6 week Rigorous imprisonment.
7. Nellore	O.Venkata Subbaiah	1 year Rigorous imprisonment.
8. Guntur	G.Sitarama Sastri (Guntur)	One year Rigorous Impr sonment.
"	Suryanarayana (Tenali)	1 year Simple Imprison ment.
"	Lakshminarayana (Guntur)	1 year Simple imprison
"	M.Venkatanarasimhachari (Guntur)	One year S.I.
"	V.Narayana Rao (Ongole)	One year Simple Imprisonment.

101 (100) 199.

District	Name	Sentence.
8. Guntur	Chalapathi Rao (Ongole)	Tendered Apology and discharged.
"	Narasimha Rao (Guntur)	Paid a fine of Rs.1,000

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102 (101)

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements
Reaction of the Govt (1922) (1920-25)
IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O. 201

Public Meetings Bill - Views communicated to Government of India.

REFERENCE:-G.O.No. 66o(Con) dated 16-8-1922, Public Department.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

(Political)

From

The Hon'ble Mr. S.P.O'Donnell, C.I.E.,

Secretary to the Government of India.

To

The Chief Secretary to the Government of

Madras.

Simla, the 15th June 1922.

Subject:- Draft Bill to enable reports of proceedings at public meetings to be made & generally to penalize disorder at lawful public meetings.

Sir,

I am directed to invite a reference to paragraph 22 of the Report submitted by the Committee, which was appointed to examine "repressive" laws, and to forward a copy of a draft Bill whcih is designed to give effect to the suggestions of the Committee that it should be made incumbent on the promoters of any meeting to provide adequate facilities and secutity for such reporters as the District Magistrate might wish to depute, and that disturbances at a public meeting should be made an offence. The Government of India would be glad to receive the views of the Government of Madras...in regard to this measure. Particular attention is invited to the following points.

Clause 2: The definition of Public meeting' has been taken, with slight alterations, from that given in the prevention of Seditious Meetings Act, 1911.

103 102 203

Clause 3. This clause is on the lines of the public Meetings Act, 1908 (VIII Edward VII, Cap. 66) except that in view of the provisions of section 171 Indian Penal Code, it has not been thought necessary to impose the additional penalty of disqualification for election.

Clause 4. (a) It will be observed that this clause does not require that notice of the intention to hold a public meeting should be given to the District Magistrate and it has accordingly been suggested that the District Magistrate should be authorised, in any case in which notice of the intention to hold a meeting has not been notice of the intention to hold a meeting has not been received in time to enable him to carry out the procedure prescribed by the Bill, to proceed to the meeting and require that facilities be provided for his reporters. I am to enqire whether a provision on these lines is considered to be necessary or desirable by the Government of Madras.

(b) It is left to the District Magistrate to decide whether the assurances offered are satisfactory or not and also to fix the time within which they must be given. It has been suggested that in order to obviate the possibility of his exercising his discretion in an arbitrary or injudicious manner, the District Magistrate should be required to accept the assurances of two persons of respectable standing and substance, and that the Bill should prescribe that the assurance must be given 24 hours prior to the holding of a meeting. I am to enquire whether the Government of M a d r a s consider that the Bill should be amended accordingly, or whether in their opinion the preferable course will be to leave it to the local Government to ensure by the issue of executive instructions that the Bill is not so used as to impede the holding of lawful public meetings. It seems possible that the result of requiring that 24 hours notice should invariably be given might render difficult or impossible the holding of emergency meetings.

Caluse 5. The expression "District Magistrate or any magistrate subordinate to him" will not cover any persons subordinate to the Commissioner of police in a Presidency town; The Government of Madras will no doubt consider whetherit is necessary or desirable specially to empower other officers i in this behalf, e.g., the Deputy Commissioner of Police or the Presidency Magistrate.

3. As it is desirable that early steps should be taken to introduce the Bill in the form finally decided upon after receipt of the views of local Governments, I am to request that a reply to this letter may be sent as early as possible, and if practicable, before the 15th July 1922.

I have the honour to be

Sir,

Your most obedient Servant,

(Sd) S.P.O'Donnell.

S E C R E T A R Y....

Letter No. 660 dated 16-8-22. 105 (104) 207.

To

The Secretary to the Government of India,

Sir,

Bill-Public Meetings - Reports of proceedings--
Home Department Letter No. F.114/II dated 15-6-1922.

I am directed to say that so far as the Madras Press is concerned there has hitherto been us real difficulty in obtaining reports of the proceedings of public meetings and therefore there is no special need for legislation to ensure that reporters shall be admitted to all meetings. On the assumption however that the necessity has been felt elsewhere. the Madras Government accept the principle of the proposed bill. Even on this assumption however they are of opinion that clause 6 of the bill as drafted is unnecessary and that the scope of clause 7 is too wide; and they would recommend the omission of the omission of the former and the delection from the latter of the words and every person who has assisted in convening the meeting"

2. They consider that the object which it is desired to attain is apply provided for in clauses 4 or 5 which will enable the District Magistrate to demand adequate facilities for reporting and to disperse a meeting if those ~~faulties~~ facilities (sic) are not given; and they see us need to make presure at a meeting which has been prohibited merely because facilities for reporting have not been given a cognizable offence. The words which it is proposed to omit from clause 7 are vague and are not likely to assist the magistrate in any way.

3. The Madras Government are not in favour of any of the suggestions mentioned in para 2 of the Government of India letter with regard to clause 4. They see no object in giving the District Magistrate Statutory authority to proceed to a meeting and require that facilities be given for his reporters. In the first place as the bill is drafted there is nothing to prevent him from going to a meeting and making on the spot the proclamation contemplated in clause 4; in the second considering

the size of the ordinary Madras District it would be futile to confer such a power on the Distric Magistrate alone. They would strongly oppose any proposal to fetter the discretion of the District Magistrate as to the asurances which he should consider satisfactory; and they agree that a ~~divertion~~ direction that he should be given notice of every meeting 24 hours or any specified time before hand would be likely to cause ~~compirations~~ complications

4. In caluse 5 I am to suggest that the words any magistrate having jurisdiction in the locality, should be substituted for the words "the Distict Magistrate or any magistrate subordinate to him" I am also to urge that in the fifth line of the clause as typed the word "may" should be substitituted for the word "shall" It is unlikely that in all cases in which satisfactory assurances are not given it will be necessary for the District Magistrate to prohibit the meeting., and the District magistrate should have full discretion in the matter.

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Extracts from G.Os relating to NCO and Khilafat movement in the Madras Presidency — Reactions (1922)

25.(M.G.41) 107 (106) 211.

G.O. No.908., Dt. 8th November 1922, Public.

Sub:- Legislative Assembly Questions - Political Offence.

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The following is the question put up by Rao Sahib U. Rama Rao (15.8.21):- (a) the total number of persons convicted in this presidency of political offences i.e, under Sections 124-A, 153-A, 107, 108 and 188 of the Indian Penal Code. Since 1st January 1921 to August 1922;

(b) The total number of persons so far released and the number and the number of persons still undergoing imprisonment?

The following is the reply given by the Government:

The total no. of persons convicted under Section 124-A, 153-A and 188 of the Indian Penal Code was 302 and the number of persons bound over or committed to prison for failure to find security under Section 107 and 108 of the Criminal Procedure Code was 273.

The total number of persons confined in jails on the 15th August 1922 for offences under section 124-A., 153-A and 188 of the Indian Penal Code and for failure to find security under sections 107 and 108 of the Criminal Procedure Code, was 187

(The figures are for the period from 1st November 1921 to 31st July 1922).

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M.Co.K 2. Ref. G.O. No. 172 Ordinary Public dated 5-3-1923.

In reply to the telegram received from the Government of India requesting for a statement of figures as to number of persons in prison for political offences the Government of Madras replied that 89 persons confined in jails for political offences.

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3. Ref. G.O. No. 265 Ordinary Public dated 24-1-1923.

Following is an extract from a press cutting. The Hindu containing Mr. Vasudevayya's allegations.

A PATHETIC STORY.

"Young India" publishes the following: (The following account of jail life told by Mr. M.G. Vasudevayya is typical of the treatment accorded to political prisoners of good status who have reached middle age without doing any kind of physical labour and who have been accustomed in their ordinary life to the personal service of attendants. Mr. M.G. Vasudevayya, took his degree in law in the Madras University and practised for ~~the~~ 18 years as a pleader in the District Court of Salem. In January 1921 he suspended practice and devoted his time to Congress work. What type of character he is may be inferred from the fact that two years before the non-co-operation movement he made a gift of land to the Municipal Council of Salem to maintain a school for "Panchama" children: C.R. in "Young India")

"I left my house at 8 am. on the 10th January and was in the Congress Khaddar Shop when Sub-Inspector Mr. Sanjeevi with a constable came to me and told me that the Inspector wanted me. I had addressed meetings disobeying an order issued against me under S. 144; so I asked him if it was for arrest. He said "perhaps". I understood him and went to the police station. I was shown a bailable warrant of arrest. Of course I refused to give bail. For this arrest the Government have awarded the Sub-Inspector with Rs.15 and have duly published the fact in the "Gazette." They awarded much larger sum for getting up evidence in Dr. Varadarajulu's case. How foolish to bribe their own servants for arresting non-co-operators who court arrest and for getting up evidence against men who refuse to cross-examine or defend themselves!. (This is not so foolish as it may seem to be. The Government is subtle enough to offer inducements to get such dirty work done. The arrest and imprisonment of good and innocent men universally respected by people is not so simple as it may appear to be Ed. Y.I).

"The same day at 11 a.m. I was taken to the Sub-Magistrate's court where one Mr. Pitchu Pillai sat. I was in my shirt. I went into the court room and sat on a bench which was there. The Sub-Magistrate asked me whether I was there as a vakil to defend any one. It is impossible that he could have been ignorant of my arrest.

I said I was an accused person". 'Then he said, 'you cannot sit on the bench.' I said I was not particular about the bench and sat on the floor. The trial was over by 4p.m. I thanked him for complying with my request to give me the maximum sentence prescribed by the section He went further and prescribed 'mixed diet' for me. Mr. Vasudevayya is a Brahmin of whom even the poorest take only rice diet in South Indian. 'Mixed diet', here, is a diet of 'ragi' prescribed for prisoners comming from the labouring classes other than Brahmins. Even some of these are ordinarily given rice diet. (The Magistrate's order about Mr. Vasudevayya was so palpably vidictive that the jail people never enforced in but gave only rice diet. Ed. Y.I.) I entered the Salem Central Jail at 5 p.m. the same day. I sent word to my wife and children not to come and see me but to bear up with patience and courage.

INSIDE THE JAIL.

As soon as I entered I was handed over to the jailor who had me stripped naked. I was then taken to a room and given jail dress, drawers above the knees, a shirt which hardly covers one's shoulders and a cap. I was also given a coir mat made of cocoanut fibre and a blanket made of rough wool. This was my bedding. I found the mat and blanket too rough for use. A plate and a tumbler were given to me for receiving my food. The blanket was dropping loose wool everywhere in my food as well as in the drinking water. Two more additions to my belongings became a part of my person--

a small wooden ticket held to a rope to wear round my neck and an iron ring for my right leg. I was given a cell in the "condemned" block, that is, the one reserved for prisoners condemned to death. This was I believe to avoid politicals coming in contact with ordinary prisoners.

JAIL FOOD.

The cost of both my meals and the morning 'conjee' (boiled rice and water) is calculated to be 2 annas 8 pice. (It may be a little more than this Ed.Y.I) These nature of the food is in keeping with the bedding and clothing. The treatment of European prisoners regarding food, clothing, bedding and bath is so princely as compared to that given to Indian prisoners, that I can assert that our racial serfdom is nowhere more evident than inside the jail.

HANDCUFFING.

On the 17th January I and seven other political prisoners were weighed and certified as fit for travelling. We were to be taken to Coimbatore jail by the passenger train. We were given our own dress tied up in bundles but were told not to wear them. We were each given a blanket, and a ragi cake in place of the next morning 'conjee' The same day 8 other ordinary prisoners (hard labour) were also to be taken to Coimbatore. They were allowed to wear their own clothing. We were handcuffed in pairs and taken to the Railway Station. We were accommodated in a carriage reserved for us. When people gathered to see us the Sergeant closed the windows shutting off all ventilation. My

right hand was locked with my fellow prisoner's left throughout the journey, that is to say, from 3 p.m. to 7 a.m. next day. When we asked the Police to take off the handcuff while drinking water or answering calls of nature they refused to do so.

HUNGER STRIKE.

The worst rice possible was being supplied to us in the Coimbatore jail. There was any amount of sand and unhusked paddy in it. It was also of very inferior sort and foul smelling (It is so in other Jails also. Ed.Y.I) Repeated representations from Dr. Varadarajulu and other political prisoners were of no avail. So about the 10th February all the politicals and a few others refused to take "conjee"

In consequence Dr. Varadarajulu was transferred that very evening to Trichinopoly jail as being the leader of the strike. There was no attempt to improve the rice. On the second or third day after Dr. Varadarajulu's transfer, Mr. Devanayakar of Erode took his morning 'conjee' to the 'tower' that is the Superintendent's Office, and told the jailor that it was so bad that he could not drink it. The jailor said it was a frivolous complaint. Devanayakar went away leaving the 'conjee' in the tower for the Superintendent's inspection. For this he was punished with standing handcuffs for 4 days (This refinement in barbarity is an arrangement by which the prisoner is handcuffed to a wall

so that he has to be standing with arms raised all the time Ed. Y.I) The rice was really bad and many of us had thought of refusing food. This punishment precipitated matters and 14 politicals including myself refused to eat until the punishment was cancelled and the rice improved. After two days fast on our part Devanayakar was released and the politicals were allowed to take rations and cook their foods. I was asked by several friends to take charge of the kitchen which I did gladly. I had two other friends to assist me.

GANDHI DAY.

"All was well till the 18th of April. On that day, the first Gandhi Day, all the politicals except three who were unable to fast or stand punishment, agreed to fast for 24 hours. Though I had resolved to fast, I cooked as usual as ordered by the jail authorities. I prepared 'Puliyodharai' (a crude kind of hot 'Kichidi') so that it might keep till the evening. I still doubt whether I was right in this. I thought that as we had to fast on our Guru's incarceration day, I must disobey if ordered to eat, though I obeyed the order to cook. I brought the food to the office of the Superintendent as ordered but except the three no one came to receive the food. The political prisoners were sent for by the Superintendent and asked to eat. All including myself refused. The 'simples' including Dr. Rajan, Dr. Sastri, Vakil Ananthachar, Vakil Rama Rao and others were deprived of their extra clothing, books and bedding and were locked up in a cell in the new jail. They were given jail bedding.

THE OIL MILL.

"The rigorous men (we were about 12) were sent to work in the oil-mill. All the politicals were deprived of their right to letters and interviews. Cooking their own food was also stopped. The punishment of working at the oil-mill was shown as 'change of work'. To us who were unaccustomed to any kind of hard-labour the oil pressing work in the hot sun was a very tough task. I suffer from piles. Major Forest had noted it in my history ticket, though he also noted that I was fit for hard labour! Another doctor in the jail was surprised that I should have been noted as fit for hard labour, (Mr. Vasudevayya weighed only 112 lbs. on admission, besides suffering from piles. C.R.) The Major was frankly against Non-Co-operators and generally refused ordinary comforts even to patients in the hospital, if they were Non-Co-operators.

"Our overseer was a 'black cap' nick-named 'talaperatti' (consummate rogue). He had some instinctive respect for us. Some of my political friends wished to strike owing to the severity of the heat. But I restrained them as it was against our creed. I must mention the name of Sadaya Naicker of Atur, the most stout-hearted amongst us, and amenable to the strictest discipline. The most brutal work becomes pleasant along with such men. I was working at the Mill till the 11th May. I heard that the papers were agitating regarding my being worked in the oil-mill. Several officers used to come and

stand near the mill and see us work. Some jail officials and convict-warders expressed sympathy with us. They expected that we would express regret but as none of us would do so, we were kept on indefinitely at the mill.

RAGI-GRINDING.

"One day when on my way to the latrine I entered the carpentry shop to see the Sub-Assistant Surgeon who happened to be there, the Superintendent and the jailor took me to task for this. I was called to the office to answer. I said that I had no permission to enter the carpentry shop though I had the warder's permission to go to the latrine. The Superintendent recorded a warning against me. I said I did not believe that my action deserved any warning. He said nothing and I came away to the mill. About half an hour later, I was called by a convict-warder to follow him. I asked him why. "Your work is changed", he said, "to ragi-grinding"(again, change of work being used as a punishment Ed.Y.I.) I was surprised as I was not informed of this by the Superintendent when he sent me away with a warning. There were five ragi-mills for nine Moplah prisoners and myself. The warder in charge asked us to select partners. None of the strong Moplahs would take me as I was weak. So I and the weakest Moplah who had been rejected by the others were paired. Every morning we were required to take 200 lbs. of grain for the day's work. We were unable to grind this quantity. We turned out only 107 lbs. The warder reported me to the Deputy Jailor who sent for me and threatened me.

"I shall have to report you for short work for punishment."

" 'I have worked conscientiously for eight hours. I am not afraid of your reports or punishments. I fear only my conscience and God!"

He was somewhat taken aback and said, "You must try to improve" I said I would try whether he asked me or not. While at work, I used to get surprise visits from the warder, deputy jailor and the Superintendent, perhaps to see whether I was shirking work. The convict-warder told me that they never used to visit the ragi-room so often before this. The Collector came one day to the mill and examined my hand. The Inspector General of Prisons came one day and asked me "Are you all right?" I said my health was alright. He waited a little but I said nothing further and he went away. One day Mr. A.R. Knapp (Member of Government) came to my block and inquired about my weight. I was reduced by seven pounds but it was not noted in my history ticket. He then asked me whether I had any complaint to make. I said I did not wish to make any complaint.

"As a non-co-operator, I should do every kind of work assigned to me to the best of my strength. I was turning out more and more every day until I reached ~~150~~ 105 lbs. But I fell ill in the end, as the hard work in the afternoon immediately after food interfere I with my digestion. I began to have Diarrohoea. I was taken to the hospital and remained there for eight days. I was still further reduced in strength and weighed 100 lbs.

THE PENAL DIET.

Meanwhile my friends at the oil mill, getting jealous of me alone being put to the ragi grinding, did not do work at the oil mill as before. They began to complain about the 'conjee' which they refused to drink. They refused to do the full work of the day. The Superintendent transferred all of them to the condemned cells and gave them all rope-making work. I was also sent there afrer discharge from the hospital. The 'conjee' continued to be bad, My friend went beyond my advice and not only refused to drink but refused to do full day's work and urged the unwilling convict warder to report. The lower officials replied by stopping the good rice that we were getting for the regular meals. We refused to eat the meals also. The Superintendent sent for all of us and punished us with penal diet for four days and kept us in close confinement throughout the period. But he improved the rice subsequently.

CONCLUSION.

I passed the rest of the term quietly. Except for these incidents which relieved the monotony of our terms we passed them, on the whole, cheerfully. The hardships we underwent are only typical of the treatment of hundreds of our brethren in the different jails in India. I cannot blame the Superintendent who is only a creature of the rotten system of government which pats such officers on the back, as make no difference between honest and dishonest men,--nay,-- as treat honesty with greater suspicion than dishonesty. The jails seem to be

intended in this system not to suppress ordinary crime so much as to crush the national awakening of the people. Icannot close my account without referring to a few brave Sikh prisoners who had to hungere strike and struggle for three months and received thirty stripes each before getting their wheat diet sanctioned, to which they were entitled, that being their ordinary food.

M.G. Vasudevayya.

To be continued

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119 (118) 235

EXTRACTS FROM THE G.OS. RELATING TO N.C.O & Khilafat Movement Reaction (Recontemporary) 1920-25
IN THE MADRAS PRESIDENCY.
Reaction of the Govt - 1923.

ABSTRACT OF THE G.O.

Books and publications - Forfeiture under section 99-A Criminal Procedure Code - Disposal - Instructions issued.

Reference:-G.O.No. 175, 6th March 1923, (Confi) Public Dept.

C O N F I D E N T I A L.

FOR RECORD ONLY.

G O V E R N M E N T OF M A D R A S.

Public Department.

G.O.No. 175, 6th March 1923.

Books and publications - Forfeiture under section 99-A Criminal Procedure Code - Disposal - Instructions issued.

ORDER - No. 175, Public, dated 6th March 1923.

Under Section 99-A of the Code of Criminal Procedure, 1898, any newspaper, book or document containing seditious matter may be declared forfeited to His Majesty. An order of forfeiture issued by any Local Government in India has effect throughout British India, so that a newspaper, book or document, declared forfeited by any Local Government can be seized in the Madras Presidency. Under section 99-B , an application may be filed in the High Court within two months from the date of the order of forfeiture to set aside such order, and pending the expiry of the period allowed for such application or the result of the application, if one has been field, no final disposal of copies of a newspaper, book or document seized or voluntarily surrendered in accordance with such order of forfeiture is possible.

2. The Governor in Council directs that, unless special reasons exist to the contrary proscribed books or documents

which may come into the custody of the police by seizure or otherwise should be destroyed by District Magistrates, or in Madras, by the Commissioner of Police, Madras, only after the expiry of three months from the date of the order of forfeiture. These officers will be informed if an application is field under section 99-B of the Code of Criminal Procedure, 1898, against any order of forfeiture and also of the result of such application.

(By order of the Governor in Council.)

R.A.GRAHAM,
Chief Secretary.

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121 (120)

EXTRACTS FROM THE G.OS. RELATING TO N. C. O. & Khilafat Movement 1920-28

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O. Reaction of the Govt. 1923.

Indian Revolutionaries employed as members of ships' crews Clandestine entry into India.

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REFERENCE:-G.O.No. 890(Confidential)dated 22-11-1923, Public Dept.

No.D.2383-Poll.

Government of India.
Home Department.
(Political)

From

G.H.W.Daviews, Esquire., I.C.S.,

Deputy Secretary to the Government of India,

To

The Secretary to the Government of Bombay, ~~Poli~~

Political Department.

Simla, the 27th September 1923.

Sir,

In reply to your letter No. S.D.1392, dated the 18th August 1923, I am directed to state that the Government of India have considered the possibility of the corruption of Indian seamen by Bolshevik agents at foreign ports, and the cognate question of the clandestine entering into India of Indian revolutionaries as members of ships' crews. For the former the remedy appears to lie in the direction of organised welfare work for the benefit of Indian lascars in foreign ports, but the difficulties, both financial and otherwise are formidable. On the latter point, the attached correspondence is of interest and importance. The Government of India would be glad to receive any suggestions that the Government of Bombay may have to offer.

I have the honour to be,

Sir,

Your most obedient servant.

Sd. G.H.W. Daviews.

Deputy Secretary to the Government of India.

No. 2383.

Copy to the Government of Madras for information and any suggestions they may have to offer.

By order, etc.,

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DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

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(P T O)

Confidential. Public Department.

Memorandum No. 8287-1, dated 20th October 1923.

Indian Revolutionaries employed as members of ships' crews - Clandestine entry into India.

The Government of India are anxious that steps should be taken to prevent the entry into British India of Indian Revolutionaries who have engaged themselves at ports in the United Kingdom or abroad as members of ships' crews. At present persons entering Indiax by sea are required under the Passport Regulations to be in possession of proper passports but an exception is necessarily made in regard to members of ships' crews who can obtain admission on production of their discharge certificates. Politically undesirable characters who may be included in ships' crews thus find it possible to enter India without the authorities becoming aware of the fact.

2. At the request of the Government of India, the India Office has arranged with the Board of Trade, London, to obtain from Lascar Transfer officers reports about lascars engaged in the United Kingdom whose papers are missing or appear to be unsatisfactory. The India office will then make enquiries with a view to ascertain whether such persons are known to be politically undesirable and if so will inform the authorities in India and so enable them to identify the persons on their arrival in India.

3. Simultaneously it is suggested that the authorities in India might arrange for special precautions to be taken to detect undesirables landing in Indian ports on discharge from ships' crews and deal with them under the Foreigners' Act, if necessary. The Deputy Inspector General of Police, Railways and C.I.D. Madras, might also be able to make some arrangements with the shipping authorities to get the names of seamen discharged in ports in Madras and have them watched.

4. The Presidency Port Officer is requested to offer amy suggestions he may have to make in the matter. The reply should be sent through the Finance (Marine) Department.

(By Order.)

Sd. x x x x x x x x x x
Deputy Secretary.

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(PTO)

125 (124)

No. 589-9. Madras dated 26th October 1923.

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From

Captain E.W.Huddleston, C.I.E., C.B.E., R.I.M.,

Presidency Port Officer.

To

G.R.F.Tottenham, Esq., I.C.S.,

Deputy Secretary to Govt. Public Dept.

Through The Secretary to the Government of Madras,

Finance (Marine) Department.

Sir,

Reference your Memo No. 8287-1, dated 20th October, I have the honour to say that I consider it would be as well if the above Memo were circulated confidentially to all Port Officers in the Presidency including the Deputy Conservator of the Port of Madras.

Port Officers should be instructed that in cases where discharge papers are unsatisfactory of missing or not strictly in order that the District Superintendent of Police should immediately be informed and the discharged man watched until the District Superintendent of Police has an opportunity of enquiring into the matter and satisfying himself regarding the question as to whether the man is a bonafide Lascar or not.

It is important that all Port Officers should be informed as they are shipping Masters and men are occasionally discharged at Ports in the Presidency such as Tuticorin, Vizagapatam and Madras etc.

I have the honour to be,
Sir,
Your most obedient Servant,

(SD) E.W.Huddleston.
Captain R.I.M.,
Presidency Port Officer.

PUBLIC DEPARTMENT.

Letter No. 890 dated 22/11/23.
Mis.

To thex

The Secretary

to the Governemtn of India, Home Dept.

Sir,

Indian Revolutionaries employed as members of ships' crews - Clandestine entry into India - Government of India letter No. 2383Pol. dated 27-9-23.

I am directed to state that the Madras Government consider that the Procedure outlined in the correspondence with the Board of Trade would meet the situation on the assumption that the Government of India will receive the promptest and fullest possible information regarding the departure of undesirables from ports outside India and that they will hand on the information at once to the Local Governments concerned.

2. As regards the procedure in India, this Government understand that the certificates of service without which a seaman cannot obtain fresh employment give the fullest possible information about him; and they suggest that all that can be done is to instruct all Port officers to report to the District superintendents of Police, or the Commissioners of Police in the Presidency towns, particulars, regarding discharged seamen whose - papers are unsatisfactory or missing or not strictly in order and to keep a watch over them until the District Superintendents of Police or the Commissioners have had an opportunity of enquiring into the matter and satisfying themselves as to their bonafides. The same procedure should also be adopted with regard to stowaways,. In the case of deserters the present practice is for the ships mastersx to hand over the deserters certificate to the Port Officer who

then sends it to Calcutta. The Port Officer should be authorised to detain the certificate until the local police have made such enquiries as they consider necessary. The above procedure should enable the police to trace in most cases any attempt on the part of undesirable persons to enter India by this method; and when they have been traced, action can be taken either under the Foreigners Act or by prosecution under the Indian Penal Code when sufficient evidence is available.

I have the honour to be,
Sir,
Your most obedient servant.

G.R.F.T. 14-11-1923.

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/END/

Extracts from GOs relating to NCO and Khilafat movement in the Madras Presidency - Reaction (1923) (1920-1923) (Prosecution)

24.(M-Cr)

128 (127)

2531

G.O. No.245. dt.26.3.1923: Public.

Sub: Legislative Council Question - 1922 - Prosecution under Section 188, Indian Penal Code - Statistics.

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Mr. R.Srinivasa Ayyangar.

The Judicial Department

Question No.214. Will the Hon'ble the Law Member be pleased to state:-

(1) The number of persons prosecuted from January to July 1922 for disobedience of orders issued under Section 144 of the Code of Criminal Procedure and sentenced to imprisonment; and

(ii) The number of persons put up under the Security Sections of the Code of Criminal Procedure in the said period and those that actually suffered or are undergoing imprisonment for failure to give security?

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ANSWER.

It is presumed that the Hon'ble Member wishes for information regarding cases connected with the non-co-operation movement only. The Government have no more detailed information than the following:-

(1) The number of persons prosecuted under Section 188 of the Indian Penal Code is 131 and the number convicted 107.

(ii) The number of persons proceeded against under the Security sections of the Criminal Procedure Code is 250 and the total number of persons bound over or committed to imprisonment for failure to find security is 204.

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EXTRACTS FROM THE G.OS. RELATING TO Non-Cooperation & Khilafat Movement 1920 to 1925.

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O. (Reaction of the Govt. 1923)

(Civil Servants' under Government Servants' Rule - Prohibited Government of India - informed - Government of Madras.)

REFERENCE:-G.O.No.349,(Confidential)dated 30-4-1923, Public Dept.

The Government of India informed the Government of Madras that the Civil servants under the Government Servants rule are prohibited from approaching members of the Legislatives for the redress of their grievances. Any breach of the rule would be severely dealtwith.

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130 (129) 257.

EXTRACTS FROM GOS RELATING TO N.C.O. & Khilafat Movement 1920-25

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O. Reactions of the government 1923

(Use of Bombs - Government's decision).

~~XXX~~ REFERENCE: G.O.No.596 (Confidential) dated 10-1-1922.
Judicial ~~Public~~ (Police) Department.

The Government of Madras have examined the question whether the bombs can be legally used under the existing law and have come to the conclusion that there is no legal objection to the use of these bombs. They therefore placed orders ~~of these~~ to get a few of them and train some men in their use.

C

131 (130) 259

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movement (1924-25) IN THE MADRAS PRESIDENCY. Reaction of the govt (1924)

ABSTRACT OF THE G.O.

Varadarajulu Nayudu - Imprisonment for failures to furnish security grounds for demanding security - Treatment in jail - papers recorded.

REFERENCE:-G.O.No. 294(Con) dated 23-4-24, Public Department.

COUNCIL OFFICE.

Mr. S.Satyamurti.

LAW (GENERAL) DEPARTMENT.

Question: No. 217. Will the honourable the Law Member be pleased to state--

(a) the source of information on which he based his answer to Mr. T.Adinarayana Chettiar's question in the Council held on 12th December 1923, that Dr. P.Varadarajulu Naidu had invited the Japanese to invade India; and

(b) whether his attention has been drawn to the public denial of this statement by Mrs. Varadarajulu Naidu?

PUBLIC DEPARTMENT.

Answer to Question No. 217:-

(a) The information on which the answer was based was the shorthand report of a speech delivered by Varadarajulu Naidu at Kallidaikurichi in the Tinnevelly District on 22nd March 1923 in which the following passage occurs:-

"Some think that we must call Japan to our aid and ~~erush~~ crush this people (the British). Japan is our elder brother. If Japan is respected more, then Japan will try to claim India for themselves. Then many of us will proceed with Purnakumbhams welcome demonstrations) and will say whole heartedly what Japan is doing is quite right.".

The Government were strengthened in their construction of this speech by another made by him on the 24th March 1923 at

132 (131) 261

Tuticorin in which amongst others this passage occurs:-

"Europeans come to India in the winter season. Then we must create some riots and some of us should go to Jail.

(b) The Government have seen no public denial of this statement by Varadarajulu Naidu himself, but have been a letter from Mrs. Varadarajulu Naidu published in some newspapers.

(By Order)

Fort St. George.
Dated the 23rd January 1924.

(Sd) . . . .

Under Secretary to Govt.

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movts (1920-25) Reaction of the Govt (1925)

IN THE MADRAS PRESIDENCY.

133

ABSTRACT OF THE G.O.

REFERENCE:-G.O.No. 90(Con) dated 27-1-1925, Public Department.

CONFIDENTIAL

D.O.No. 3546

(132)

Government of India,
Home Department.
(Political)

Delhi, the 5th November 1924.

My dear Marjoribanks,

The Government of India, regret that, owing to the necessity of maintaining extreme secrcy up to the date of its issue, they were unable to give other local Governmen s previous notice of the promulgation of the Ordinance to deal with anarchical conspiracy in Bengal. The Ordinance is however of general interest and they would be glad to know of its probable effects in other provinces. I am accordingly to suggest that with the permission of His Excellency the Governor Distrct officers may be directed to pay particular attention to xx agitation arising as a result of the issue of the Ordinance and that the results may be communicated for the information of the Government of India.

Yours sincerely,

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CONFIDENTIAL.

Commissioner's Office,
Madras City Police,
Egmore, Madras.,

22nd December 1924.

My dear Marjoribanks,

Bengal - Criminal Law Amendment Ordinance of 1924 - Your D.O.No. 9721-1, Public dated the 18th-- November 1924 and Your subsequent Memo. No. 9721-2 dated the 17th December 1924.

I write to give below the result of my observations.

The agitation in this connection took no other form than mere protests in the City of Madras. A few meetings were held which were not well-attended. The speakers who were all Swarajists vilified the action of the Bengal Government asserting that it was a covert attack on legitimate political activities.

134 (133)

Beyond a suggestion by one of the speakers that a no tax campaign should be started as a protest, no practical steps were taken.

The agitation has been confined more or less to the press. The vocal Indian opinion expecting that of a smaller fry (the Besantine Party) has been unanimous in its condemnation of the Ordinance, as it is alleged to give extraordinary powers to the Police.

The arrests of a few Swarajists in Bengal have alarmed the members of this party who seem to think that the Ordinance is directed principally against them. This view is not shared by other political bodies. Outside the circle of politi cians, the action of the Bengal Government has not aroused any interest.

The Ordiannce has, however, produced some effect and has given a fillip to the general cry for unity. It has brought about (1) an hasty patch up between the Congressmen and the Swarajists, (2) an outward union of all parties and (3) the appointmment of an All-party Committee to devise measures for concerted and united action and to draw up a scheme of 'Swaraj' before the 31st March 1925.

There does not appear to be any indication of the agitation against the Ordinance taking any form of vigorous activity until the Committee appointed by the Bombay Conference decides upon a course of action agreeable to all parties. So far, no real advance has been made in the matter of unity. The Non-Brahmin Party wish to preserve their separate entity and do not propose to merge themselves in the Congress party. Although Mrs. Besant has signed the Congress creed, it does not appear to be her intention to completely coalesce with that party. Even among the Congressmen, signs are not wanting of internal dissensions, as some of them do not approve of the Gandhi-Das pact. It remains to be seen if there be any large response to united action under the aegis of the Congress as things now stand, there is not much prospect of the move for unity meeting with any large measure of success. It is believed that the Belgaum Congress will raise definite issues, and clarify the position.

Marjoribanks

135 (134) 267

From the Special Branch, Criminal Investigation Department.

Dated 8th January 1925.

Chief Secretary,

Through the Inspector General of Police.

Reference confidential Memorandum No. 9721-2, dated 17th December 1924.

Bengal Criminal Law Amendment Ordinance of 1924. There have been articles in the papers from time to time protesting against the Ordinance but they seem to have had little or no effect on the public, they give the impression of having been written merely for the purpose of having a tilt at Government.

There have been a few meetings held in different parts of the Presidency for the purpose of protesting against the Ordiance and the arrests made under it, but reports show that they were formal affairs, exciting no interest and attracting no crowds.

The 'intelligentsia' naturally discussed the Ordinance in the ordinary course of conversation, but the masses appear to know nothing or if they do, care nothing about it; it now seems to be nearly forgotten, interest having been centred on the Congress and other current events.

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EXTRACTS FROM THE G.OS. RELTING TO Non-cooperation and Khilafat movement Reaction (Attitude of govt) (1924) (1920-25)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Legislative Council Question - August 1924 - Wearing of Khaddar by Government Servants.

REFERENCE: G.O.No. 234 (Ordi) dated 4-3-1925, Public Dept.

GOVERNMENT SERVANTS' CONDUCT RULES.

Prohibition of the wearing of khadder by Government Servants.

234 Q Mr. S.Satyamurti: Will the hon. the Law Member be pleased to state---

(a) whether the Government have expressly or impliedly prohibited the wearing of Khadder by Government servants while on duty or in their offices;

(b) whether the Government have expressly or impliedly prohibited Government servants subscribing for the "Hindu" or the "Swarajya": and

(c) whether any Government servant has been punished censured, or warned for wearing khadder or for subscribing for the "Hindu" or the "Swarajya"?

A-- (a) (b) & (c) No.

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137 (136) 271

EXTRACTS FROM THE G.OS. RELATING TO N.C.O. and Khilafat movement (1920–) Reaction of the govt (1925)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Position of Members of the Indian Legislature Under the Arms Act.

REFERENCE:-G.O.No. 498 (Con) Dated 3-9-1925, Judicial Department.

CONFIDENTIAL.

D.O.No. F 21/XLIII/25.

Government of India,

Home Department.
(Police)

Simla, the 21st Agusut 1925.

Sm

Subject:- Position of members of the Indian Legislature under the Arms Act.

Dear Campbell,

I am desired to invite a reference to entry (1) (a) of Schedule I to the Indian Arms Rules, 1924, which exempts, among others, members of the Indian Legislature from the operation of the prohibitions and directions contained in sections 13 to 15 of the Arms Act. It will be observed that local Governments are not empowered to restrict the number of arms or the quantity of amunition which may be possessed by the exemptees included in this entry. A case has been brought to the notice of the Government of India in which a member of the Legislative Assembly, relying on this privilege placed an order with a firm for a large quantity of revolver and rifle cartridges shortly before the Bakr-Id festival.

The incident referred to above, however, shows the possibility of the privilege of exemption being dangerously abused and I am to ask that if any noteworthy purchases of arms and ammunition by members of the Indian Legislature resident in the Madras Presidency are brought to notice they may be reported confidentially to the Government of India.

Yours sincerely,

Sd. . . . .

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(137) 273.

CONFIDENTIAL.

Government of Madras,.

Judicial,
D.O.No 4482-1.

Fort St. Geogge,
20th October 1925.

My Dear,

Position of members of the Indian
Legislature under the Arms Act.

In continuation of my confidential D.O. No. 3686-1 Judicial dated the 3rd September 1925, I am desired to say that, if it should come to your notice that a member of the Indian Legislature, resident in another province, has made a noteworthy purchase of arms or ammunition from a firm in your district, such purchase should be reported confidentially to the Government.

Yours sincerely.

(Sd)-. . . . .

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movts (1920-25) Reaction of the Govt (1925)
IN THE MADRAS PRESIDENCY.

139

ABSTRACT OF THE G.O.

~~Pubxx~~

Question of modifying the law relating to whipping.

REFERENCE:-G.No. 1055(Con) dated 31-10-1925, Public Department.

Public Department.

Letter No. 1055 dated 31-10-1925.

To

The Hon'ble the Chief Justice of the High Court of Judicature, M A D RA S.

Hon'ble Sir,

Question of modifying the law relating to whipping.

~~Ixxxx~~

I am directed to refer to the correspondence ending with the High Court's letter Dis. No. 1285/23, dated 15-8-23 on the subject of modification of the law relating to whipping, and to state confidentially that the Government of India in consultation with the Secretary of State have come to the conclusion that the Whipping Act, 1909, should be retained in tact for the present. They have however suggested that the High Court should ~~Borwarded~~ be moved to instruct Magistrates to confine the application of Section 3 of the Act in practice to cases in which both the status of the offender and the nature of the offence make the punishment of whipping suitable. I am accordingly to request that the Hon'ble the Judges will be so good as to issue the necessary instructions to Magistrates if they see no objection to this course.

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140 (139) 277

EXTRACTS FROM THE G.OS. RELATING TO Non-Co-operation & Khilafat Movement 1920 to 1925

IN THE MADRAS PRESIDENCY. (Role of the Press - 1920)

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Abstract of the G.O.

(The Hindu Nesan' - Tamil Daily - refund of security Government's Decision.)

Reference:- G.O.No.108 (Confidential)dated 14-2-1920, Public Department.

The Government of Madras decided to refund the security deposit taken from the "South Indian Press" where the tamil daily "The Hindu Nesan" was printed.

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141 (140) 279

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements Role of the Press (1920) (1920-25)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Printing Satyagraha Leaflets.

REFERENCE:- G.O.No. 119(Confi) dated 17-2-1920, Public Department.

Public Department.

D.O. 3800 2 D/15--9--1919.

My dear Armitage,

Please refer to the Memo. to the D.I.G. C.I.D., No. 1543 Pu Public dated the 10th April 1919, a copy of which has been communicated to you. As you are aware a security of Rs. 2000 was taken from the keeper of the Swadesamitran Power Press in pursuance of this Memo and this was done primarily with the object of preventing it from printing Satyagraha leaflets. That object has apparently been attained but the Swadesamitran the Tamil daily, which is printed at the press has long been an evil influence and the Government have been from time to time noticed several contribution of an objectionable character published in it.

2. The Government however now propose to consider the question whether it is necessary to continue to keep this press under security. I am therefore directed to request that you will furnish them at a very early date with your opinion as to whether after taking into consideration the reputation of the newspaper and use to which the press has been put, the secutity already taken can safely be refunded.

CONFIDENTIAL.

Commissioner's Office,
Madras City Police,
Egmore Madras.

26th September 1919.

My dear Campbell,

In reply to your D. O. Letter No. 3800-2 dated the 15th instant, I write to say that Mr. A.Rangaswami Ayyangar, keeper of the "Swadesamitran" Press is one of the local leaders of the extremists. He is now in England on the congress and All-India

Home Rule League Deputations. He often makes rather forcible speeches at public meetings including those held on the beach. You say that the paper has from time to time published objectionable matter. Taking into consideration this and the part taken in politics ~~mm~~ by Mr. Rangaswami Ayyangar I think that it would be well not to cancel the security.

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143 (142) 283.

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements (1921-25) Role of the Press (1920)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Security deposit - Printing Presses - Refund - Decreed - Amnesty

REFERENCE:-G.O.No. 133(Confi) dated 23-2-1920, Public Dept.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Memorandum No. 619-1, dated the 5th February 1920.

His Excellency the Governor in Council is of opinion that as a part of the general amnesty announced in His Majesty's prockamation of the 24th December 1919, the securities deposited by keepers of Printing Presses under section 2 and by Publishers of Newspapers under section 6 of Act 1 of 1910 should now be refunded. All District Magistrates and the Chief Presidency Magistrate are therefore requested, if they see no objection, to reconsider all orders now in force under those sections for the deposit of security if the keepers of presses and publishers of newspapers concerned apply for such reconsideration.

His Excellency the Governor in Coundil does not desire by this expression of his wishes to fetter the discretion of the Chief Presidency Magistrate and the District Magistrates to require the desposit of security hereafter should it appear that the keeper of a press or the publisher of a newspaper is publishing objectionable matter.

(By order)

E.H.Cawne,.

Under Secretary.

EXTRACTS FROM THE G.OS. RELATING TO

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Press Act - Administration during 1919-20 - Note - Recorded.

REFERENCE:-G.O. No. 225(Confi) dated 30-3-1920, Public Dept.

NOTE ON THE PRESS ACT 1919-1920.

At the beginning of the year there were two papers that were making themselves conspicuous by their violent tone, the Desabhatan and the Nationalist a new paper atarted on the 17th February 1919, by G.Harisarvothama Rao. The Desabhaktan had been violent in tone for a long period and action was taken eventually on a series of articles collected from the issues of 1918 and in February 1919 the security of Rs. 1,000/- was declared forfeited. After the end of March, while the situation in the Punjab was precarious and uncertain, security was taken under the Press Act against the following Presses and Newspapers which had hitherto been exempt from the deposit of security, the National Press which prints the Hindu and the Presses which print the Swadeshamitran, the Hindu Nesan and Everyman's Review, . This action was taken in view of the articles that were being published in their papers and the fact that in two cases the preses were being used for the printing satyagraha leaflets. At the same time on account of a very violent article headed"The Cult of the Bullet" the security deposited by the Nationalist was forfeited. an enhanced security Rs. 10,000 was required but this could not be furnished and the paper ceased publication.

2. As soon however as it was clear that the disorder which had started in the Punjab and threatened to spread through-out India had spent its force and the situation in Madras could be more accurately gauged, His Excellency took up for consider-ation the possibility of making less use of the Press Act by the adoption of a policy of counter propaganda though he was at the same time not unaware that such a policy would be no adequate defence against a campaign of deliberate misrepresen-

tation

tation which must necessarily be dealt with under the punitive provisions of the law. This change of policy brought about the constitution of the Publicity Bureau, which was established with a view to effecting a more intimate touch between the Government and their officers on the one hand and the press and the people on the other and to providing a means for the issue of correct information which would have the effect of sobering criticism. Simultaneously with the constitution of the Bureau an enquiry was started in the Secretariat with the object of seeing whether it was not possible to relax the orders of security imposed both recently and in previous years so that a fesh start might be made. In the Secretariat putting up old records and making references district Officers. It was thought best that the orders with regard to all presses and papers should issue at the same time with a general exposition of the policy of Government. By the end of October orders were ready in all cases except those of the Hindu and Swadesamitran which were allowed to lie over in the first instance till November when the Hon'ble S.V.P.R. was expected to return from leave. A further postponement was caused by the unfortunate illness of Sir P.Rajagopala Achariyar and before he could be consulted to Royal Proclamation of December 24 supervened and consistently with the spirit of that Proclamation the Government proceeded to review the orders that it had proposed to pass. On the 6th February 1920 orders were passed suggesting the refund of all securities deposited under Section 3(1) and 8 (1) of the Press Act, should application therefore be made.

3. The Government have however been unable to pass orders in every case owing to legal difficulties which have been raised by the Government of Bengal and the Government of India as to the powers of the Government under the remaining sections of the Act and the matter is still under examination and correspondence.

4. It may be said however that from July 1st 1919, the Government have been working with the avowed object of releasing from security as many presses and papers as was compatible with the maintenance of law and order.

In the mofussal during the press was not marked by any particular violence of tone and the Act was administered generally without any complaints.

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movement (1920) Role of the Press (1921)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Reports for 1920 - reviewed.- working of the Press Law

REFERENCE:-G.O.No. 381, 17th June 1921, (Con)Public Dept.

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CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

~~XXX~~XX

G.O.No. 381, 17th June 1921.

Press Act.

Reports for 1920 - Reviewed.

Read - Reports from the Commissioner of Police and District Magistrates on the working of the Press Act during 1920.

Order No. 381, Public, dated 17th June 1921.

From a perusal of the reports received from the Commissioner of Police and the District Magistrates on the working of the Press Act of 1910 during 1920 the Government are satisfied that the Act has been worked with discretion and great leniency. In accordance with the policy suggested in Memorandum No. 619-1, Public dated 5th February 1920, practically no press or paper now remains under security. The only other noteworthy feature is that the number of publications declared to be forfeited to His Majesty under section 12 of the Act has risen from 6 during 1919 to 29 during 1920.

(By order of the Governor in Council)

N.E.Marjoribanks,

Acting Chief Secretary...

CONFIDENTIAL.

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Public Department.

Notes connected with G.O. No. 381
Public Dated 17th June 1921.

(Subject- Press Act - Reports of District Magistrates and Commissioner of Police for 1920.)

The object of these reports which are submitted with reference to paragraph 2 (i) of G.O. No. 2500 Judicial, dated 4th December 1913 and paragraph 2 (ii) of G.O.No. 1476 Judicial dated 3rd July 1914, isto enable the Government to see if the Press Act is being worked with discretion.

Exactly: as long as Government are satisfied there is no reason to publish the material on which they formed their opinion. G.R.T. 31-5-21.

2. Demand of security - I cases in which security was furnished ---- The keeper of the Danavaisya Oolian Press Karaikudi, has furnished on demand a security of Rs. 500. In the statement forwarded by the District Magistrate of Ramnad it is stated that Danavaisya Oolian a Tamil weekly which is printed at this press is an advocate of social reform of the Nattukottai Chetti community and also deals with politics. It is submitted that this does not seem to be a sufficient ground for requiring security. It is for orders whether a reference may not go to the District Magistrate as in the recent case of the Rowji Press at Adoni vide D.O. No. 1876-2, Public, dated 25th April 1921.

L.D.

II. Presses which had to be closed or were not opened owing to the demand of security --- In the City of Madras one B.N. Gupta was required to furnish a security of Rs. 2,000 before starting a press which was to be called "Willingdon Press" as he was anti-British in his views and as therewas a likelihood of his press being used for printing objectionable political matter. The security was not furnished and the press was not allowed to be opened.

III. Newspapers which had to be discontinued or were not started owing to demand of security - On an application for permission to print a journal called the "Student Movement Review" the keeper of the Hogarth Press at Madras was required

to furnish a security of Rs. 500 as some of his writings in an American Missionary paper showed that he was given to sensationalism. He was not willing to furnish the security and not allowed to print the journal (paragraph 5 (iii) at page 3 of G.O. No. 222 Public dated 30th March 1920).

3. Warnings - (1) The editor of the Quami Report was warned at the instance of the Government for printing objectionable matter.

(ii) The proprietors of the S.V.N. Press and Ramsay Press at Madras were warned for shifting their presses from one place to another before filing a declaration to that effect.

(iii) The keepers of the Nami Press and Attur Rahiman Press at Madras were warned for having printed the journal "Kurshid" without declarations.

(iv) The attention of Mr. Ramesam Pantulu, Public Prosecutor Madras, was drawan by Government to an objectionable article in the journal of the "Telugu Academi" for August Septemper 1919 and he was asked to use his influence to prevent publication of such articles in the journal (G.O.No. 130, Public dated 21st February 1920.)

4; Prosecutions - Madras - Mr. E.Baynes, Keeper of the Albinion Press and Mr. P.Murugesa Madaliyar, Keeper of the Sri Subrahmanya Vilasam Press were prosecuted under section 16 of the press and Registration of books Act, 1867 for failure to deliver copies of certain publications to the Registrar of Books and fined Rs. 5 each.

North Arcot- The proprietor of the Subrahmanya Vilasam Press was prosecuted and fined Rs. 50 for having printed certain notices infringing the conditions of the Press and Registration of Books Act, 1867.

D Godavari-- The publishers of a book called "Vesyamrutam" (printed and published by the City Press Cocanada) were prosecuted and fined Rs. 30 for certain obscene passages in the book.

Kistna - The printer and publisher of a book called "Vesyamrutam" who was prosecuted in 1919 for certain indecent verses in the book - Vide paragraph 4 of report at page 6 of G.O. No. 222 Public dated 30th March 1920 - was fined Rs. 30 in default to undergo simple imprisonment for 15 days.

5. Proscriptions - There were 29 cases of proscriptions under section 12 of the Press Act as against only 6 during 1919.

6. (a) With reference to sub-paragraph 2 of paragraph 3 of report from District Magistrate, Ramnad, it is submitted that t 'Vaisyamitram' still continues to be under a security of Rs. 500 taken in 1911 (item 477 at page 86 of G.O. No. 673 Public dated 22nd October (1920). It is not clear why the District Magistrate did not refund this security in accordance with Memorandum No. 619-1, Public, dated 5th February 1920 (Page 2 of G.O.No. 120, Public dated 17th Februayy 1920)

A draft memorandum on this case including also the case noted on in paragraph 2-I of note above is submitted.

(b) Paragraph 5 (2) of report from Tinnevelly - The refernece if any from the Registrar of books would have been disposed of in Law (Education) Department. Index shows a similar case from Trichinopoly as having been disposed of by Law (Education) - vide abstract of G.O.No. 1128, Education, dated 29th September 1920.

T.M.R. 30-5-21.

The Memorandum to the District Magistrate Ramnad may issue. Then I think all that is needed is a Government Order A STATING THAT Government are satisfied that the Act has been worked A with discretion, and pointing out that in conformity with the new policy practically no paper now remains under security. The increase in the number ~~in the number~~ of proscriptions may perhaps also be noted. The office-note (printed) will serve for purposes of future reference.

G.R.Totenham - 31-5-21.

A with great leniency.

L.D. 7-6-21,

EXTRACTS FROM THE G.OS. RELATING TO Non-Co-operation & Khilafat Movement 1920 to 1925.

IN THE MADRAS PRESIDENCY. (Role of the Press. 1921)

ABSTRACT OF THE G.O.

("DESABAKTHAN" - Editor - prosecuted - Ordered)

REFERENCE:-G.O.No.489 (Confidential)dated2-8-1921,Public Dept.

The Government filed a case of sedition in the Court of the Chief Presidency Magistrate against the Joint Editor and Proprietors of Tamil daily "Desabakthan" for having published an objectionable article entitled "Repression" in the issue of the Desabakthan dated 6th May 1921. The three proprietors having tendered open apology in the court; the case against them was withdrawn. The Joint editor alone was prosecuted and convicted for an offense of causing disaffection and sentenced to six months simple imprisonment.

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EXTRACTS FROM THE G.OS. RELATING TO Non Co-operation & Khilafat Movement 1920 to 1925

IN THE MADRAS PRESIDENCY. (Role of the Press 1921)

ABSTRACT OF THE G.O.

("Vaisyamitran" - Editor - Prosecution - Ordered)

REFERENCE:--G.O.No.861 (Confidential)dated 7-12-1921,Public Dept.

The Government Sanctioned the prosecution against the editor of "Vaisyamitran" of Karikudi for having published on objectionable article under the title "The pitiable plight of the madras government."

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements **IN THE MADRAS PRESIDENCY.** Role of the Press (1921) (1920-25)

ABSTRACT OF THE G.O.

Newspapers - Reckless and malignant articles in -

REFERENCE:-G.O.No. 875(Con)dated 14-12-1921, Public Department.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

(POLITICAL)

NO. 1006.

From

S.P.O'Donnell, Esquire, C.I.E.,
Secretary to the Government of India.

To

The Chief Secretary to the Government of Madras.

Delhi, the 4th November 1921.

Sir,

I am directed to forward for the information of His Excellency the Governor in Council a copy of a letter dated the 17th August from the India Office from which it will be seen that the Secretary of State has drawn the attention of the Government of India to the frequent instances of recklessness and malignity in the articles published in some of the papers most inimical to the Government and has enquired what the views of the Government of India are and what is their general policy in this matter.

2. The Government of India do not consider that the particular instances referred to by the Secretary of State are suitable for prosecution. The article in the Hitavada does not appear to fall within the scope of any section of the Indian Penal Code whilst as regards the other two articles mentioned though it is possible that they offend against sections 124-A and 153-A of the Indian Penal Code, nevertheless the allegations are so vague as to make it difficult to base on them a prosecution which would not commit the Goverment to the production of evidence covering the whole range of the Mosopotamian administration and conditions in the tea gardens. This has been pointed out to the Secretary of State and at the same time

he has been informed that the general policy of the Government of India and of local Governments is --

(a) to prosecute only in cases where the statements are of a kind -

(i) likely to cause serious mischief and

(ii) admitting of ready disproof when a prosecution is reasonably certain of success;

(b) to deal with lies, misstatements etc. not suitable for prosecution by means of communiques and the activities of the Publicity Departments.

3. The Government of India would be glad, however, to be informed whether in the opinion of the Local Government prosecutions have been as frequently instituted as is desirable. They realise that the cases to be prosecuted must be carefully ~~xxxxxxxx~~ selected and that many statements of a pernicious character do not fall within the purview of the criminal law. It is, however undoubtedly the case that statements of a reckless and malignant character are of frequent occurrence and the Government of India consider that whenever practicable and politic prosecutions should be instituted against the newspapers in which these appear and would be glad to receive the assurances of the local Government that such is in fact that policy which is pursued in the presidency of Madras.

I have the honour to be,

Sir,

Your most obedient servatn.

Public Department.

Letter No. 875 dated 14-12-1921.

To

The Secy.to the Government of India,

Home Department.

Sir,

Newspapers - Reckless and malignant articles in - Government of India letter No. 1006 Political dated 4th November 1921.

I am directed to acknowledge the receipt of the above letter in which the Government of India communicate the substance of the reply given to the secretary of state as to their views and their general policy in respect of the reckless and malignant nature of certain articles published in Indian papers.

2. The Government of India wish to be assured that this Government is in fact pursuing the policy laid down in their letter to the Secretary of State for India.

3. In reply I am directed to state that the policy adopted by the Madras Government in respect of the prosecutions of newspapers is substantially that which the Government of India commend, but has been tempered in the past by an effort to avoid recourse to prosecution unless the circumstances were such as in the opinion of those responsible clearly called for such action.

4. In para 3 of their letter the Government of India point out that "many statements of a pernicious character do not fall within the purview of the criminal law". In this connection I am directed to invite attention to the Madras Government's letter to the Government of India No. 209/S Public, dated 23rd August 1920 in which they pointed out the inadequacy of the existing law to punish the most subtle and malignant class of falsehood and suggested that the law should be so amended as to enable the Government to deal effectively with such cases.

This type of propaganda is exceedingly dangerous and it is still impossible under the Existing law to deal with it effectively.

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Extracts from G.O.s relating to NCO and Khilafat movement in the Madras Presidency – Role of the Press (1922/1923)

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20.(M-G.K.)

G.O. No.142, Dt.15.2.1922: Public Confidential.

Sub: Non-co-operation - Press - Patronage by Government - Withdrawn.

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CONFIDENTIAL.

G O V E R N M E N T O F M A D R A S

Public Department

G.O. No.142, 15th Febraury1922

Non-co-operation - Press, Printing - Patronage by Government departments to be withdrawn.

ORDER -- No.142, Public, dated 15th Febraury 1922.

The Government direct that no Government printing work or contracts should be given to presses owned or controlled by non-co-operators, if it possible to avoid doing so regard being had to local conditions. If any officer is in doubt as to the politics of the proprietor of a press, he should consult the Magistrate of the district where the Press is situated.

2. A list of printing presses owned or controlled by Non-co-operators is appended to this order.

3. District Magistrates should report to Government whenever they consider that any addition or alteration to the list is necessary.

(By Order of the Governor-in-Council)

R.A. GRAHAM,
Acting Chief Secretary.

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ANNEXURE.

Printing Presses owned or controlled by Non-co-operators.

- - - -

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Anantapur.

Bala Bharati Press, Anantapur.

Swami Vilasa Press "
(Branch) Press, Hindpur.

South Arcot.

Kamala Press, Tiruppapuliyur.

Pushpalayambal Vilasam Press,
Chidambaram.

Sri Krishna Vilasam Press,
Tiruppapuliyur.

St. Mary's Press, Cuddalore,
(New Town).

Chittoor.

Pundarika Nilayam Press,
Tirupati.

Sri Venkateswara Nilayam Press
Tirupati.

Coimbatore.

Central Press, Erode.

Edward Press, Pollachi.

Krishna Vilasa Press, Erode

Krishna Printing works,
Tirupur.

Nityakalyana Sundaram Press,
Erode.

Ramakoti Press, Erode.

Shanmuga Vilas Press, Erode.

Sivarama Vilas Press, Erode.

Sri Krishna Printing Works, Erode.

Sri Vani Press, Erode.

Sundara Vilas Press, Erode.

Guntur.

Arya Vysya Press, Bapatla,

" " " , Guntur.

Chandrika Press, "

Krishna Printing Works,
Guntur.

Guntur (contd.)

Sarada Press, Ongole.

Sita Vilasa Press, Tenali.

Tripura Sundari Press, Tenali.

Kanara, South.

Dharma Prakasa Press, Mangalore.

Kanara Printing works, Mangalore.

Maruthi Press, Karkal.

Prabhakara Press, Udipi.

Sharada Press, Mangalore.

Kistna.

Andhra Grandhalaya Press, Bezwada

Hithakarini Press, Ellore.

Kistna Swadeshi Press, Masuli-
patam.

Rama Press, Ellore.

Sudharma Press, Masulipatam.

Sudharsini Press, Narasapur.

Vani Press, Bezwada.

Madras.

Andhrapatrika Press, Georgetown.

Azad Hindi Press, Royapetta

Firdozi Press, Triplicane.

Karimi Press, Triplicane.

Muhammadan Press, Triplicane.

National Press, Mount Road.

Printers Press, Tiruvattiyur High
Road.

Qaumi Press, Triplicane.

Rahman Press, Triplicane High Rd.

Razakia Press, Triplicane.

Sadhu Press, Royapetta

Shahul Hamidiya Press, Triplica

Swadesamitran Press, George Town.

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Swarajya Printing and Publishing Co.,Ltd., Broadway.

Vavilla Press, Tiruvattiyur High Road.

Malabar.

Empress Victoria Press,Calicut.

Islamiah Press, Tellicherry.

Mandhata Press, Manjeri.

Nellore.

Nellorepatrika Press, Nellore.

Ramnad.

Lakshmi Vilas Press,Sattur.

Vyasiamitran Press,Karaikudi.

Salem.

Dravidabhimani Press,Salem.

Lakshmi Vilas Press, Salem.

Sourashtra Press, Salem.

Sri Saraswati Vilas Press, Selam.

Tamil Nadu Press, Salem.

Union Press, Namakkal.

Tanjore.

Poarnananda Press, Tanjore.

Scottish Branch Press, Negapatam.

Tinnevelly.

Aryaprakasini Press, Tinnevelly Town.

Darbar Press,Tinnevelly Bridge.

Excelsior Press, Kilanattam.

Gomati Vilasam Press, Tenkasi.

Koyoomi Press, Pettai.

Mirania Press, Tinnevelly Bridge.

Morning Star Press, Tinnevelly Bridge.

Nural Islam Press, Pettai, Tinnevelli Town.

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EXTRACTS FROM THE G.OS. RELATING TO Non-Co-operation & Khilafat Movement 1920 to 1925

IN THE MADRAS PRESIDENCY. (Role of the Press. 1922)

ABSTRACT OF THE G.O.

("The Muslimi" - Malayalam Newspaper - Objectionable - Ordered - Government of Madras.)

REFERENCE:-G.O.No.224,(Confidential)dated11-3-1922, Public Dept.

Rs----

The vident Malayalam newspaper entitled "the Muslimi" published in Travancore state continued to publish penicious matters which were highly seditious in them nature. It had wide circulation among the Mappillas through the post. The Government of Madras thought it nothing short of scandalous that such a publication should go on unchecked in Travancore state which was friendly towards the english. Hence the Dewan of Travancore was requested to take suitable action against the paper. In reports the Dewan wrote that he could not sanction a prosecution against the said paper since in the opinion of the state vakil the matters published were not so seditious and objectionable as to lunch a prosecution against the paper. The Diwan had however assured the Government of Madras that careful watch was being exercised over the paper and suitable action would be taken of law permitted.

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements

IN THE MADRAS PRESIDENCY. Role of Vr Press (1922) (1920-2

ABSTRACT OF THE G.O.

Reports for 1921 - Reviewed. Newspaper.

REFERENCE:-G.O.No. 541(Confi) dated 27-6-1922, Public Dept.

CONFIDENTIAL.

Public Department.

Notes connected with G.O. No. 541, Public
Dated 27th June 1922.

Subject - Press Act - Reports.

Demand of Security I Cases in which security was furnished (1) Cuddapah A security of Rs. 500 was deposited by G.Venkoba Rao, on demand in respect of a new press called the 'Janak Press.'

(2) Guntur--A security of Rs. 500 was deposited by the keeper of a new press called the Tripura Sundari Press. The security was demanded as he was suspected to be a non-co-operator.

II Presses which had to be closed or were not opened owing to the demand of security (1) Guntur in view of the objectionable tone of the publications printed at the Desabhimani Press, Guntur a security of Rs. 500 was demanded from G.Durgapradada Rao on application made by him to declare himself the keeper on the death of its former keeper D.Seshachalapati Rao. The security was not furnished and the press ceased to work.

(2) Anantapur-- The proprietor of the Balabarati Press having been convicted under sections 143 and 145 Indian Penal Code, he was required to deposit a security of Rs. 1,000 which has not been furnished.

(3) Malabar. Pottayal Abu Bucker, keeper of the Mis bobul Huda Press was bound over under the security section of the Criminal procedure Code, and he was sent to jail in March 1921 for failure to furnish security. In view of the bad character of the keeper and of the boycott by the non-co-operators of a rival press whose keeper gave evidence for the prosecution in the security proceedings, the keeper of the press was required to furnish a security of Rs. 750. The press stopped work.

(4) Malabar-- The keeper of the Muhikil Garayid Press was asked to furnish a security of Rs. 1,000. He failed to do so and the press stopped work.

(5) Malabar-- The keeper of the Islamiah Press which had been working under a security of Rs. 500 since 1919 was asked to furnish an enhanced security of Rs. 2,000 as he was a non-co-operator. He failed to do so and the press discontinued work.

(6) Malabar-- One O.V.Kunhayan of Tellicherry applied for permission to start a press. As he was reported to have seceded from the school as the result of non-co-operation he was asked to deposit of security of Rs. 2,000. The security was not deposited and the press did not start work.

III Newspapers which had to be discontinued or were not started owing to demand of security (1) South Kanara - Two attempts were made to start a Kanarese weekly dealing with non-co-operation. In the one case Rs. 1,500 and in the other Rs. 1,000 was demanded as security. The securities were not furnished

(2) Tinnevelly - One C.B.Anandam of Tuticorin applied for permission to start a journal entitled the students leader. Since his character was reported as unsatisfactory a security was demanded but it was not furnished and the journal was not started.

(3) Malabar-- One P.Hussain of Calicut applied in March 1921 for permission to start a journal entitled Yuva Keralam. He was a student until then, and he left the school in pursuance of the non-co-operation movement. Being an active member of the Khilafat Committee, he was asked to furnish a security of Rs, 2,000. He did not furnish the security and the paper was not started.

(4) North Arcot- A security of Rs. 500 was demanded from the publisher of the weekly journal entitled Sukhodayam since

he introduced political matters into it. He failed to furnish the security and the paper was discontinued.

2. Warnings - (1) Madras - The proprietors of the Sacchidanandam Press, National Missionary Society Press Kanara Press and Diamond Jubilee Press were warned for shifting their Presses from one locality to another before filing a declaration to that effect; the proprietors of the Scottish Press and its branches, Girua Giruanabasha Ratnakaram Press, Diamong Jubilee Press, Robinson Press, and Nadamuni Press were warned for running their Presses without declarations and 'Associated Printers' for running the press and printing a journal called the Local Self-Government Gazette without making the necessary declarations.

(2) Guntur - The keeper of the Chandrika Press was required to show cause why he should not be required to deposit security in view of the objectionable literature he was bringing out but he gave a written undertaking not to publish politicalpamphle and so the matter was dropped with a warning.

(3) Vizagapatam - The propietor of the Andhra Printings Works, Vizianagram, was warned for delay in submitting a copy of the publication Mallikharjuna Satakamu to the Registrar of books.

(4) Tinnevelly - On the printing of a Tamil leaflet entitled Swadeshi at the Pentland Press, Tinnevelly the keeper was warned that any printing of political matter would entail demand of security.

(5) Bellary - The Rama vilas Press published a political pamphlet Swathandtra Sopanamu, but when the proprietor was required to show cause why steps should not be taken to demand a security he regretted the mistake. He was warned that should he at any time publish in his Press anything considered objectionable security would be demanded.

(6) Kistna - The proprietor of the Andhra Grandalaya Press Bezwada, was given a warning against publishing illegal matters and the proprietor of the Maruti Press, Bezwada, was warned that failure to comply with the requirements of the Press

and Registration of Books Act 1867 would render him liable to prosecution (G.O.No. 234, Public dated 22nd April 1921).

(7) Madura - The Printer and Publisher of the Tamil weekly the Sowrashtra was warned for publishing in his paper extreme political views and he published an apology.

3. Prosecutions - Madras - The keeper of the Lakshimi-narayana Vilasany Press was prosecuted under section 16 of the Press and Registration of Books Act, 1867 for failure to deliver certain publications to the Registrar of Books. The case is now pending, though the Press has ceased to exist.

(3) Malabar - In 1920 a pamphlet 'an appeal to Muhammadan voters' regarding the candidature of A.D.Bavoti Sahib Bahadur of Tellicherry for election to the Madras Legislative Council was printed at the Victor Press without the name of the Press being printed on it. The keeper of the Press was therefore prosecuted under section 12 of the Press and Registration of Books Act 1867, but was acquitted.

(4) Salem--(1) Rudhra Vela Ayyar of Krishnagiri who was keeper of the Subramania Vilas Press at Gudiyattam, North Arcot was prosecuted under section 13 of the Press and Registration of books Act for working it without declaration and he was fined Rs. 200.

4. Proscriptions-- The number of publications declared to be forfeited under section 12 of the Indian Press Act, 1910 during 1921 was 71 as against only 29 during 1920.

5. Submitted for orders whether the papers may be recorded with a suggestion that in view of the repeal of the Press Act the District Magistrates should take steps to have the existing securities refunded if they have not already done so and with a remark noticing the rise in the number of proscriptions.

6. In view of the repeal of thePress Act these reports will cease in future.

In view of the fact that the Press Act has been repealed it is hardly worth while reviewing these reports in any detail

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It is however, interesting to note, that in spite of the efforts made last year to release presses from security and so on review. The number of proscriptions also increased greatly - a sign of the times.

As was done last year I think it would be sufficient to print these works for purposes of record and merely to issue an order recording them. I am not however quite certain what the position is about the refund of securities demanded under the old Act. I presume that those concerned can be left to apply for refunds and that if District Magistrates had any doubts in the matter they would have referred them to the Government.

R.A.G. 16-6-22.

I also presume that the office is correct in stating that these reports will not be submitted in future, but the Government Orders mentioned in the first paragraph of the Notes in G.O.No. 381/21 should have been put up.

Yes since the Act has been repealed.
R.A.G. 16-6-1922.

G.R.F.Totternham--16-6-22.

The reports may be recorded without remarks.

R.A.Graham. 16-6-1922.

K.S.(rinivasa Ayyangar 20-6-1922.

Willingdon 23-6-1922

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movement
IN THE MADRAS PRESIDENCY. Role of the Press (1924) (1920-25)

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ABSTRACT OF THE G.O.

Government advertisements - to be withheld from certain newspapers.

-REFERENCE:-G.O.No. 823(Con)dated 13-10-1922, Public Department.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

G.O.No. 823, 13th October 1922, .

Non-co-operation.

Government advertisements - to be withheld from certain newspapers.

Order No. 823, Public dated 13th October 1922.

A list of newspapers which should not in the opinion of the Government of India be given support in the matter of G Government advertisements is annexed. The Deputy Inspector-General of Police, Railways and C.I.D., is requested to report when occasion arises any alterations or additions to the list that may be considered necessary.

(By order of the Governor in Council)

R.A.Graham,
Chief Secretary.

Annexure.

NEWSPAPERS.	Language.	where published.
Quami Report.	Urdu	Madras.
Hilal.	Do.	Bangalore.
Swarajya	English	Madras.
Navasakti	Tamil.	DO.
Congress.	Telugu.	Rajahmundry.
Andhrapatrika	Telugu	Madras.
Kistnapatrika	Do.	Masulipatam.
Swadesamitran	Tamil	Madras.
Saiphul Islam	Do.	Do.
Hindu	English	Do.
Sutandiram	Do.	Tanjore.

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EXTRACTS FROM THE G.OS. RELATING TO Non-Co-operation & Khilafat Movement
IN THE MADRAS PRESIDENCY. 1920 to 1925

(Public Dep. 1922)

ABSTRACT OF THE G.O.

(Ananda Printing Press - deleated - from the presses.)

REFERENCE:- G.O.No.1050(Confidential)16-12-1922,Public Department.

As the ~~amer~~ Owner of the Ananda Printing works press Tiruvallur, intimated the Government that he would cease to be a non-co-operator; the government on the recommendation of the District Magistrate Chingleput, passed order to delete it from the list of presses to which government work should not be given.

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements

IN THE MADRAS PRESIDENCY. Role of the Press (1923) 1920-25

ABSTRACT OF THE G.O.

Political agitation - Presses printing - Kanara Printing Works, Mangalore - Deleted from list of presses to which Government work should not be given.

REFERENCE:-G.O.No. 584 (Con) dated 27-7-1923, Public Dept.

CONFIDENTIAL.

Government of Madras.

Public Department.

G.O.No. 584, 27th July 1923

Political agitation-Presses printing - Kanara Printing Works, Mangalore - Deleted from List of presses to which Goverment work should not be given.

Order.- No. 584, Public, dated 27th July 1923.

On the recommendation of the District Magistrate, South Kanara the Kanara Printings Works Mangalore, will be deleted from the list of presses from which printing works and contracts by the Government should be withheld under G.O. No. 142, Public, dated 15th February 1922.

(By Order of the Governor In Council.)

(Sd).E.S.Lloyd.

Acting Chief Secretary.

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EXTRACTS FROM THE G.OS. RELATING TO Non Co-operation & Khilafat Movement 1920 to 1925

IN THE MADRAS PRESIDENCY. (Role of the Press. 1923)

ABSTRACT OF THE G.O.

("Satyagraha" - Editor Prosecuted - Sanctioned - Government of Madras.)

REFERENCE:-G.O.No.619(Confidential)dated 8-8-1923, Public (MS) Dept.

The Government of Madras sanctioned the prosecution of the editor of "Satyagraha" under section 124 A.I.P.C. for an article entitled "Ye heroes of the Karnataka" published in the issue of the 19th April 1923.

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168 333.

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Non-Co-operation and the Khilafat Movement - (1920-25) Role of the Press

EXTRACT S FROM THE G.OSS RELATING TO
IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

(The Konda Press - deleated - from the list of presses - ordered.)

REFERENCE: G.O.No.849(Confidential)dated 1-11-1923, Public Dept.

On the recommendation of the District Magistrate Madura, the Konda Press Madura will be deleted from the list of press from which printing works and contracts by the Government should be withheld under G.O.No. 142, public dated 15th February 1922.

EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements - Role of the Press (1923) (1920-25)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Non-co-operation - Government advertisements - Newspapers which should not be given support - Revised list.

REFERENCE:-G.O.No. 946 (Confi) dated 18-12-1923, Public Dept.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

G.O.No. 946, 18th December 1923.

Non-co-operation - Government advertisements - Newpapers which should not be given support - Revised List.

ORDER-No. 946, Public dated 18th December 1923.

A revised list of newspapers which should not be given support in the matter of Government advertisements is annexed. The Deputy Inspector-General of Police, Railways and C.I.D., is requested to report when occasion arises any alterations or additions to the list that may be considered necessary.

(By order of the Governor in Council)

M.E.Couchman,

Acting Chief Secy.

ANNEXURE.

Newspapers	Language.	where published.
Andhrapatrika	Telugu	Madras.
Congress	Do.	Rajahmundry.
Kistnapatrika.	Telugu	Masulipatam.
Navasakti	Tamil	Madras.
Navayuga	English	Guntur.
Qaumi Report	Urdu	Madras.
Saiphul Islam	Tamil	Do.
Swadesamitran	Do.	Do.
Swarajya	English	Do.
Swadharma	Telugu	Guntur.

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EXTRACTS FROM THE G.OS. RELATING TO Non-Co-operation & Khilafat Movement 1920 to 1925.

IN THE MADRAS PRESIDENCY. (RofR of the Press-1924)

ABSTRACT OF THE G.O.

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("Swarajya" - Withdraw - from Editor's table- Considered by the Government)

REFERENCE:-G.O.No. 284(Confidential)dated 16-4-1924, Public Dept.

After careful consideration the Government in order to mark its sense of resentment and displeasure, in regard to the contumacious behaviour and vulgar attitude of the "Swarajya" newspaper decided to withdraw from it the privileges of the editor's table.

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movements
IN THE MADRAS PRESIDNECY. Role of the Press (1929-25)

ABSTRACT OF THE G.O.

Newspapers - Unsuitable for Government advertisements - Revised list issued.

REFERENCE:-G.O.No. 587(Confi) dated 17th June 1925, Public Dept.

CONFIDENTIAL

Government of Madras.

Public Department.

G.O.No.587, 17th June 1925.

Newspapers - Unsuitable for Government advertisements- Newspapers which should not be given support - Revised list.

Order - No. 587, Public, dated 17th June 1925.

A revised list of newspapers which should not be given support in the matter of Government advertisements is annexed. The Deputy Inspector-General of Police, Railways and C.I.D. is requested to report when occasion arises any alterations or additions to the list that may be considered necessary.

(By Order of the Governor in Council)

A.Y.G. Campbell,

Chief Secretary.

ANNEXURE.

Newspapers	Language	Where published.
1. Andhra Patrika	Telugu	Madras.
2. Azad Hind	Urdu	Do.
3. Congress	Telugu	Rajahmundry
4. Kistna Patrika	Do	Masulipatam.
5. Mathrubhumi	Malayalam	Calicut.
6. Matruseva	Anglo-Telugu	Nandyal.
7. Navasakti	Tamil	Madras.
8. Navayuga	English	Guntur.
9. Paschimandra	Telugu	Do.
10. Qaumi Report	Urdu	Madras.
11. Saiphul Islam	Tamil	Do.

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12. Sarada	Telugu	Masulipatam.
13. Satyagrahi	Kanarese	South Kanara.
14. Swadesamitran	Tamil	Madras.
15. Swarajya	English	Do.
16. Swadharma	Telugu	Guntur.
17. Swatantra	Do.	Rajahmundry.
18. Tamil Nadu	Tamil	Madras.

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EXTRACTS FROM THE G.OS. RELATING TO Non-Co-operation & Khilafat Movement 1920 to 25.

IN THE MADRAS PRESIDENCY (Role of the Press 1927)

ABSTRACT OF THE G.O.

("Kamala Press" - deleted - from the printing work by Government)

REFERENCE:- G.O.No. 44(Confidential)dated 17-1-1927, Public Dept.

On the recommendation of the District Magistrate of South Arcot the government decided to delete the Kamala Press of Tiruppapuliyur from the list of presses from which printing work or contracts by government was withheld.

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EXTRACTS FROM THE G.OS. RELATING TO N.C.O. and Khilafat movements

IN THE MADRAS PRESIDENCY. Role of the Press (1927)(1920-23)

ABSTRACT OF THE G.O.

Legislative Council Question - March 1927 - Presses - Printing not to receive Government work - Last.

REFERENCE:-G.O.No. 384, (Confi) Dated 30-4-1927, Public Dept.

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list of non-co-operation printing presses.

* 662Q-- Mr. A.Kaleswara Rao:- Will the hon. the Law Member be pleased to state--

(a) whether the list of non-co-operation presses has been revised and brought up to date;

(b) if not, up to what date it has been revised;

(c) for what purpose it is maintained and revised.

(d) on what principles and on whose information it has been revised;

(e) whether the Government will be pleased to place on the table the revised list or the list that the Government is maintaining;

(f) whether the printing presses concerned have been given opportunities to explain themselves at any time;

(g) whether the Government propose to abolish the distinction of co-operation and non-co-operation presses altogether hereafter; and

(h) whether the Government will be pleased to issue orders to all heads of departments not to make such a distinction hereafter?

A-- (a) Yes.

(b) The question does not arise.

(c) To prevent Government work being given to person who advocate and pursue the policy of non-co-operation with Government.

(d) The list is revised on the principle enunciated in answer to question No. 837(b) asked in the Legislative Council

and 2nd November 1925 and on the information supplied by District Magistrates and Commissioner of Police.

(e) The Government do not consider it expedient to publish the list.

(f) No. But it is open to the proprietor of any press which finds that it is included in the list to request it may be removed from it.

(g) No.

(h) No.

Mr. A.Kaleswara Rao:- "Sir, In answer to clause(c) the Government say the list of non-co-operation presses is maintained 'to prevent Government work being given to persons who advocate and pursue the policy of non-co-operation with Government' May I know what is the non-co-operation referred to? Is it for the non-co-operation that they pursued in 1921 and 1922 that they are still kept under the ban, or for any other non-co-operation ?"

The hon. Sir C.P.Ramaswami Ayyar:- "The whole matter is being considered."

Mr. K.Madhavan Nayar:- "Are the Government aware that non-co-operation is suspended now?"

The hon. Sir C.P.Ramaswami Ayyar:- "That is why I say that the whole matter is being considered."

Mr. G.Harisarvottama Rao:- "May I know, Sir, the line of consideration if it is not too much to ask; i.e., whether the Government are going into the question of the merit of the books that have been printed at the press or into the question as to whether the press has ever followed a policy of non-co-operation or whether non-co-operation is now dead or living? What is the line in which consideration is being given?"

The hon. Sir C.P.Ramaswami Ayyar:- "Government do not propose to set up literary critics and do not propose to go into the merits of the books. The question whether in the circumstances that have happened it is now necessary to continue that particular policy, and if so, to what extent is being considered.

Mr. G.Harisarvothama Rao:- May I know Sir, if the continuance of the list is still there because Government have laid out a policy of banning these presses on account of the printing of matter of a particular nature?"

The hon. Sir C.P.Ramaswami Ayyar:- "~~Soem~~ Some years ago, Sir, Government laid down that certain presses were to be under certain disqualifications or disabilities,. The question whether these disqualifications or disabilities should be continued and if so to what extant and in what manner is under consideration

Mr. G.Harisarvottama Rao:- "May I know, Sir, why it is that those disqualifications were imposed upon these presses"

The hon. Sir C.P.Ramaswami Ayyar:- "That took place in 1921, and I do not know whether any purpose will be served in raising questions as to why in 1921 and 1922 during the non-co-operation movement a particular policy had to be pursued; whether that need be investigated now or not is a question on which I have some doubt."

CONFIDENTIAL. Public Department.

Note for the cabinet.

Presses - Not to receive Government work - List Revision.

The following question has been put by Mr. A.Kaleswara Rao M.L.C.:- No. 554.

Will the Hon'ble the Minister for Education and Local Self Government be pleased to state --

(a) whether the Government still continue to make a distinction between co-operation and non-co-operation printing presses in the matter of selection of text books;

(b) whether the Director of Public Instruction has been withholding certain books from the Text Book Committee or has been excluding them from the list of text books subsequent to approval by the Text Book Committee on the ground of

(1) their having been printed in Non-co-operation presses,

(2) their authors or publishers havång been non-co-operators;

(c) if sok, whether the Government will be pleased to place on the table a list of books withheld or excluded as stated above by the Director of Public Instruction during the last five years, together with the names of their authors or publishers and of the presses in which they were printed, with the reasons for so withholding or ekcluding;

(d) whether the Hon'ble Minister will issue instructions to the Director of Public Instruction to discontinue the above policy and to approve or reject books on the basis of their contents and not of the political opinion of their authors or publishers or of the presses whereat they are printed

The question for consideration by the Cabinet is whether the orders should be maintained that nox Government printing work or contracts should be given to presses owned or controlled by non-co-operators and hhat no book printed at such a press should be included in list of approved text-books for use in Government and recognised schools.

3. In G.O.No. 1121 Law (Education) dated 9-8-1923 it was ordered that no book printed at a press "on the proscribed list" should be retained in the list of text books approved for use in Government and recognised schools.

Discussed in Cabinet on 24-3-1927. The order that no book printed at a Press "on the proscribed list" should be included in the list of approved text books may be rescinded.

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EXTRACTS FROM THE G.OS. RELATING TO NCO and Khilafat movement miscellaneous (1925) (1920-25)

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Abkari -The Nilgiris - Prohibition - Sale of Liquor - Hill tribes - Suggestions of the Nilgiri Temperance Federation & Orders passed.

REFERENCE:-G.O.No. 1957(Ordi) dated 16-12-1925, Revenue Dept.

Recorded.

The Commissioner of Excise is requested to take steps to see that the licenser at the military canteen at wellington does not conduct illicit sale of liquor to the public.

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NCO & Khilafat Movement (1920-25)

Miscellaneous (annual Report) for 1927

Miscellaneous (annual Report - 1924)

EXTRACTS FROM THE G.OS. RELATING TO ~~Miscellaneous (annual report)~~

IN THE MADRAS PRESIDENCY.

ABSTRACT OF THE G.O.

Political - Madras events - 1926 - Recorded.

REFERENCE:-G.O.No.691(Confl.)dated 1-8-1927, Public Dept.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

G.O.No.691, 1st August 1927.

Political - Madras events - 1926 - Recorded.

READ-the following paper:-

Letter from F.A.Hamilton, Esq., Inspector-General of Police Madras, to the Chief Secretary to Government, dated the 15th July 1927, No.207/A.R.

I have the honour to forward herewith a report on the political events and labour movements in the Presidency during 1926.

REPORT ON THE POLITICAL EVENTS AND LABOUR MOVEMENTS IN THE PRESIDENCY DURING THE YEAR 1926.

1- Political.

Political activity during the year in the City of Madras consisted of--

1.Sporadic agitation directed against:

(a) the Andamans Colonization scheme,

(b)the currency policy,

(c) the Bengal Emergency Bill,

(d) the Anti-Asiatic Bills,

(e)the Indian labour conditions in Ceylon,

(f) the Hindu Religious Endowments Bill, and

(g) the Malabar Tenancy Bill.

2. An intensive election campaign by both the Swarajya and the justice parties.

3. A not very successful National Week from 6th to 13th April, which gave an opportunity for some of the local

fire-brands to make intemperate speeches.

4. (a)The tenth Adi-Dravida Conference.

(b) The Thirty-second Tamil Nadu Provincial Conference which passed a resolution suggesting a change in the Congress creed and defining 'swaraj' as complete independence outside the British Empire.

(c) The All-India Christian Conference.

5. The formation of an Indian Fabian Society on the British model, consisting of two sections a study circle open to students and officials, and the other a purely political section, open only to non-officials.

Election campaign.

Of the above items, by far the most important in that it permeated the whole of the Presidency was the intensive election campaign by the Swarajists and the Justice Party. The Madras District Congress the Andhra Provincial Congress and the Tamil Nadu Congress Committees disapproved of the agreement concluded at Ahmedabad between Responsivists and Congressmen, but secured the support of the Congress to their party programme and concentrated their attention on capturing seats in the legislatures and local bodies. They enlisted members and collected funds. The last two Committees also shifted their headquarters to Madras, and re-elected Messrs, Prakasam and S.Srinivasa Ayyangar as their respective presidents. On the All-India Congress Committee accepting the candidates recommended by them for election, they began their election campaign. They invoked the name of Mr. Gandhi as their guide adopted the congress creed, non-co-operation and civil disobedience and tactics such as the walk-out from the legislatures and the formation of a National League of Youth to help them at election meetings. The Justice party also held counter-meetings assisted by their Non-Brahmin League of Youth.

Though in the elections of the Madras Corporation, only two out of ten seats were secured by the Swarajists and a Swarajist President was unseated by a Justice yet in the local Legislative Council the Swarajists won 47 seats and 11 in the Assembly. Though triumphant at the polls, they declined the invitation to form a Ministry, but their leader, M.R.Ry. Rao Bahadur C.V.S.Narasimha Raju Garu, accepted the Presidentship of the local Council. The Governor invited the Independents to form a Ministry. The Justices who were hitherto in power, sustained a crushing defeat and have since broadened their creed and adopted some items from the Congress creed.

As meetings and processions connected with the election campaign became numerous the Commissioner of Police, Madras, had to prohibit them at busy centres under section 41 of the City Police Act,. Three cases were charged two against Congress workers for conducting unlicensed Bhajanas, and one against the Justices for causing obstruction by arranging chairs and tables in a street to hold a meeting. Eleven out of the twelve persons concerned were convicted, and fined amounts ranging from Rs.5to Rs.15.

OTHER ITEMS OF MINOR IMPORTANCE.

(1) There was agitation amongst Muslims for increased representations in the legislatures and separate representation in other elected bodies, but there was a split in the camp, and two rival parties were formed both of which had a short lived existence. Meetings were held and resolutions passed exhorting the British Government, in views of the cordial relations which had always existed between Hyderabad and great Britain to respect the Nizam's position and authority.

(2)There was an abortive attempt by a local Communist to form a Communist organisation.

(4) Mr. Bapin Chandra Pal, who presided over the Presidency Students' Conference at Madras on 12th January addressed a Public meeting advocating the working of the Reforms for what they were worth.

(5) The South African Indian Deputation toured the Presidency appealing for men and money to enable Indians in South Africa to launch civil disobedience, if the Viceroy and the King-Emperor refused to take up their cause.

(6) The South African Deputation was warmly welcomed.

(7) Mr. O.Kandaswami Chetti, who joined the Congress party, renounced his title of 'Rao Bahadur'.

(8) The Swarajist and Nationalist members of the local Legislative Councils who walked out during the last session were congratulated in public meetings,. They were, however permitted by the All-India Congress Special Committee to participate in the discussions over the Malabar Tenancy and Irrigation Bills.

(9) The District Magistrate, Guntur, ordered K.Sriramulu, G.Sitaramayya and B.Radhakrishnamurti to furnish security for Rs.1000 with two sureties for a similar sum, for singing the prohibited song "We don't want the British rule' in a village in Ongole taluk. As they could not comply with the order they were remanded to custody and bound over for six months.

The following meetings and conferences were also held during the year:-

Name.	Place and date.	remarks.
Public meeting.	Gokhale Hall, Madras, 16th April 1926.	Dr. Besant explained the Commonwealth of India Bill. The President M.R.Ry. Diwan Bahadur T.Ranga Achary Avargal, C.I.E., was persistently heckled and the meeting broke up in disorder.
Do.	Madras Beach, 24th November 1926.	A resolution was passed requesting His Excellency the Governor to form a Ministry excluding the Justice party and the Raja of Panagal.

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Andhra Provincial conference.	Ellore, 28th,29th and 30th November 1926.	This Conference urged the Gauhati Congress to concert measures for resorting to civil disobedience and recommended the substitution of 'Complete independence without the British Empire" for Swaraj' in the Congress constitution. They threatened to form an All-India Independence League, if their resolutions were not accepted.
Conference	Udipil	Protested against the Hindu Religious Endowments Bill.
Non-Brahmana Conference.	Madura, 25th and 26th December 1926.	Advocated Khaddar and prohibition, and demanded the release or at least the trial of the Bengal detenus.

II-Labour.

Early in January a Labour Week was organized in the City during which processions, meetings and conferences of the Madras a and Southern Mahratta Railway Employees' Union, the All-India Railwaymen's Congress, and the All-India Trade Union Congress were held. Indianization of the railway services, the appointment of a committee by the Government of India to enquire into the railwaymens' grievances, and the utilisation of the Fine Fund for the education of the employees' children were demanded. A protest against the Anti-Asiatic Bills was also recorded.

The presence of several labour leaders of North India and of some ~~Rueopeans,~~ Europeans coupled with the provision in the Trade Union Bill for the holding of offices in the unions by outsiders evoked a good deal of enthusiasm resulting in the revival of such defunct unions as the old Madas labour Union. Mr. B.Shiva Rao was elected President of this union. In April Dr. Besant was furnished with a list of grievances to be placed before the Labour party in England , and some of the residents of Adyar interested themselves in this Union. In August a deputation waited on the Hon'ble the Home Member to put forward their grievances.

The President, Mr. Shiva Rao contested the elections unsuccessfully as a Home Ruler for the West Coast seat in the Assembly.

The Madras Labour Union made headway under its President. The starting of a rival union by some men of the Buckingham and Carnatic Mills created the suspicion that it was engineered by the management of the mills to break the old union. Attempts at amalgamating the two unions failed.

The president and the Secretary of the Madras and Southern Mahratta Railway Employee's Union went to Delhi to lay their grievances before the members of the Legislative Assembly. This union met only occasionally. Though this proposal was at first resented by the men it decided to purchase a site for buildings in the name of the President Secretary and Treasurer.

There was also an agitation for improved pay and prospects and adequate representation in the legislatures.

Mr. Kirk of Coimbatore Vice-President of the All-India Trade Union Congress, visited several places re-organizing railway unions, forming fresh ones and advocating the formation of a Labour party in India and a Central Committee. In accordance with a resolution of the General Body of the Cordite Factory Labour Union at Aravankadu, he visited Poona, Kirkee and other Ordnance centres to explore the possibility of forming new unions and reported favourably. There was also a probability of forming a federation of all the unions.

At the meeting of the Central Committee of the South Indian Railway Labour Union at Trichinopoly, over which Mr. Kirk presided it was resolved that the decisions of the Advisory Board were not binding on the unions but that no direct action could be taken by the latter without the approval of the Board.

Mr. Mukund Lal Sarkar of Calcutta, Secretary of the All-India Railwaymen's Federation and the All-India Trade Union Congress, presided over the South Indian Railway Labour Conference held at Tinnevelly in October. The Negapatam Railway Union was congratulated on its successful strike. Mr. Sarkar visited

and addressed labour meetings at Trichinopoly, Negapatam and Madras.

The delegation of the International textile workers' Workers' Federation was welcomed by the Madras Labour Union at a monster meeting in Perambur in December. The Right Hon'ble Thomas Shaw, leader of the deputation conveyed the greetings of the organized workers of the world and addressed another meeting at the Gokhale Hall on 'Trade Unions and the Labour Party in England'

STRIKES.

During the year there were only two minor strikes in Madras City by the Madras Harbour and Port Trust scavengers and road gang coolies, and by the South Indian Railway carriage cleaners of Beach and Egmore stations.

In connexion with the removal of the South Indian Railway workshop from Negapatam to Golden Rock, the men demanded (1) 15 per cent increase of pay, (2) reduction of house-rent at Golden Rock,(3) gratuity to those who had put in a service of fifteen years and who did not wish to go there and (4)a continuance of the privilege of absenting themselves from work for three days in a month without leave. They decided to resort to Satyagraha if their grievances were not redressed.

Precautionary measures were taken by the Police by concentrating men of the Tanjore Reserve and local Police at various places in Negapatam.The matter was left to the arbitration of the Commissioner of Labour who granted them some of their chi demands. His terms were accepted.

There were two minor strikes of the scavengers and sweepers in the Railway workshop at Perambur and in the Sembiam Union. In both cases the strikers resumed work on the officers concerned promising to consider their grievances. In the latter instance a case was registered under sections 341 and 323, Indian Penal Code against some strikers for intimidating and assaulting one o the substitutes obtained from the city but on the men resuming work the charge was not pressed.